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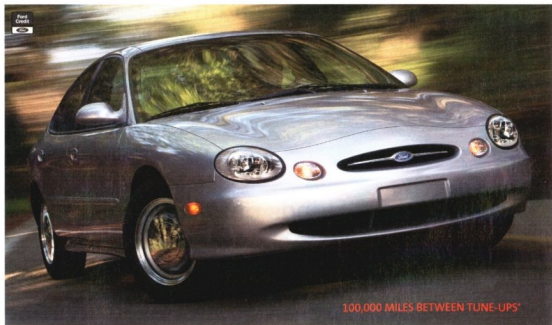
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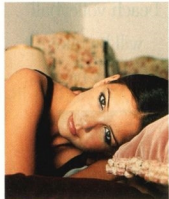
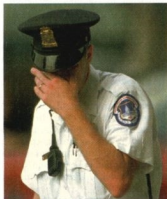


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THE WEEKLY NEWSMAGAZINE



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**Watch What You Eat and Drink:** Neither your food nor your water may be safe (see COVER)

**Star Power:** Katie Holmes and other young people hit it big (see THE ARTS)

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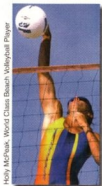
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## C O N T R I B U T O R S



AMY ETZHA FOR TIME



TED TIME FOR TIME

**JIM WILLWERTH** AND **CHRISTOPHER JOHN FARLEY** are two of the most recent TIME staff members to receive honors from the National Association of Black Journalists, a professional organization that annually recognizes excellence in "the media's coverage of the African-American community and experience." This week the two will be awarded the N.A.B.J.'s first-place prize for magazine writing for their Jan. 19 article, "Dead Teen Walking," a sobering account of youngsters on death row. In their story Willwerth, a Los Angeles-based correspondent, and Farley, a senior writer, raised some troubling questions about the conduct of prosecutors in the trial of Shareef Cousin, a black New Orleans teenager convicted of murder and sentenced, at age 16, to death. In part because of their investigation, a Louisiana state supreme court has granted Cousin a new trial, tentatively scheduled for December. Says Willwerth: "Having the chance to help right an injustice is a precious thing. I feel very lucky that journalism gives me that chance." Says Farley: "It was obvious this was a story that had to be written." When not dealing with grim reality, Farley turns to fiction. His novel, *My Favorite War*, concerns a black newspaper reporter. It's now in paperback.

For their March 30 cover story, "Africa Rising," a survey of emerging African nations, news director **MARGUERITE MICHAELS** and senior foreign correspondent **JOHANNA MCGEARY** claimed the N.A.B.J.'s second-place award. Michaels says that after spending 12 years reporting on Africa, this article was "one of the most exciting and satisfying pieces of journalism I've ever done. It gave me the chance to share with TIME readers the vibrant, good-news part of Africa that rarely gets into print."



STEVE ASHIE FOR TIME

**DICK THOMPSON**, OUR WASHINGTON-BASED SCIENCE AND MEDICINE correspondent, heard about a dangerous *E. coli* outbreak in a small town in Wyoming and immediately did what federal health sleuths do: headed for the problem's source. His on-the-scene reporting provided a vivid account of the ongoing war against lethal bacteria. Says writer Jeffrey Kluger, who worked from Thompson's dispatches: "I didn't get the sense of experiencing this story secondhand. It was really like being there." Thompson was impressed by the combination of methodology and intuition of state and federal epidemiologists: "They spent hours on the phone tracking down anyone who had been through the town, then feeding reams of information into their computers. Because of their work, they may prevent similar outbreaks."



MARK THOMPSON

**MARK THOMPSON**, ANOTHER WASHINGTON CORRESPONDENT, HAS spent the past 20 years reporting on the U.S. military. But last October, when a former Pentagon whistle blower tipped him off to deaths by negligence in California nursing homes, the Pulitzer prizewinner plunged in and broke the story for TIME. His reporting also helped prompt the government to take action. Last week President Clinton ordered stricter regulation of nursing homes, and this week the Senate will hold hearings on the matter. Thompson says the hearings are an important chance for Americans to become more aware of the awful conditions in some of the nation's nursing homes. His second installment of this sordid tale appears this week. And if nursing-home operators fail to meet the stricter regulations, you can bet there will be a third.



ANNE BLACKMAN

**ANN BLACKMAN** WAS REPORTING A STORY IN MAINE WHEN SHE learned of one town's unique approach to containing health costs. It's the subject of this week's AMERICAN SCENE. Blackman, yet another Washington-based correspondent (they do get around, don't they?), describes Maine as a "glorious, crystal-clear state where everyone is nice to each other and honest. I found it to be a lovely change from the Capitol." That's not necessarily a reflection on all of official Washington. Blackman just finished writing *Seasons of Her Life*, a biography of Secretary of State Madeline Albright, which will be released this fall by Simon & Schuster/Scribner. Blackman has known Albright since 1984, when the future Secretary worked on Geraldine Ferraro's vice-presidential campaign, and promises some revelations in the book.



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Ann Blackman/Farmington, Maine

## An Old Tradition Solves a Current Crisis

In one small town, residents trade labor for medical care

**A** MAN'S WORD, OR A WOMAN'S, GOES A LONG WAY IN THE pine-scented foothills of western Maine. In the rugged community of Farmington, pop. 7,400, where logging and farming provide seasonal work and unemployment is twice the national average, pride runs deep. A handshake binds a contract almost as often as a signature. So when a local writer walked unannounced into the office of Franklin Memorial Hospital president Richard Batt to explain that he could not pay for his son's hospitalization, Batt wanted to help the man meet his obligation honorably. After agreeing to adjust the bill, Batt asked—in an afterthought really—if the writer would help rework the hospital's brochures. "It was a transforming experience," Batt says. "This man arrived in tears and left feeling good that he could help us."

The incident got Batt thinking: How could his small, 70-bed community hospital offer low-income patients a way to pay for the rising cost of health care? Could they trade their skills for medical treatment? After all, barter may have fallen on hard times, but it's an American tradition: for decades people exchanged services for goods, not dollars. A country doctor's fee might be a bushel of potatoes or a freshly baked pie.

Batt tried out his idea on colleagues. Many were dubious. But hospital board chairman Darryl Brown, son of a Maine dirt farmer who cut brush on the county road to pay his property taxes, weighed in with his opinion. They would try it.

The first patient to benefit from the pilot program was Della O'Leary, 60, a part-time receptionist with no health insurance and an \$8,000 bill for gallbladder surgery. Would she be interested in using her keyboard skills to enter data into a hospital computer? O'Leary agreed. After she worked 20 hours a week for four months, her debt was paid. "I was brought up to take care of my bills," O'Leary says. "Without this program, I was going to be paying little by little for the rest of my life."

Alisa and Christopher Everett faced a \$14,000-plus bill following the birth last August of their son Alston. The pregnancy, complicated by Alisa's diabetes, had required numerous medical tests. And while Everett, 37, a \$26,000-a-year mechanic in a local woolen mill, has health insurance, he was still responsible for almost \$3,000 in unreimbursed expenses. The hospital's solution: to pay half the bill, Everett agreed to sand, repaint and refurbish hospital lawn chairs;

Alisa is assembling a hospital photo album of doctors, staff and equipment to explain medical care to children who become patients. "I used to be ashamed to go to the post office and get all those hospital bills," Alisa says. "But when you give back a little something, you feel better about yourself."

Encouraged, the hospital last May formally launched Contract for Care, a program aimed at individuals who fall just above the federal poverty level—\$1,138 a month for a family of three. So far, a dozen patients have enrolled. Nancy Cameron Dickinson, 49, whose family income was less than \$16,000 last year, weeded the hospital's garden beds and helped with landscaping to pay \$800 she owed after Fallopian-tube surgery. Scott Smith, 29, an uninsured ski instructor, painted the ambulance bays to pay the \$5,300 surgical bill he incurred after

breaking his leg in a ski accident. A local florist is working off \$275 she owed for a colonoscopy by providing a bouquet for the lobby each week. A 39-year-old housewife whose family racked up more than \$2,000 in family emergency-room visits paid her final \$220 by donating a handmade baby quilt.

Dr. David Dixon, a surgeon in Farmington, thinks the program will encourage more people to seek medical help before they need acute care. "This is a fee-for-service with a different currency," he says. "Hospitals tend

to concentrate on patients inside the building and not accept responsibility for the wellness of the entire community."

Maine attorneys and advocates for the poor have reacted skeptically to the program. Christopher St. John, executive director of the Maine Center for Economic Policy, says asking poor working families to take on another job is an imposition. "These families need every ounce of their effort to pay for rent and food," he says. "An extra job could be the straw that breaks the camel's back." Others fear that if the IRS rules the labor is revenue, some people may lose some of their Medicaid, food stamps or earned-income tax credit. To avoid that problem, hospital attorneys insisted that the program be voluntary. No money changes hands. A task not completed is the hospital's loss.

Would the program work elsewhere? "It can work anywhere," says Batt, who came to the region from Denver, where he ran a 565-bed hospital. "It's a way to help patients help themselves." O'Leary puts it this way: "It gives you a good feeling that you aren't a charity case." ■



Dickinson weeded garden beds to pay \$800 she owed after surgery

“This man arrived in tears and left feeling good.”

—RICHARD BATT



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## LETTERS



### What Your Health Plan Won't Cover

“The transformation of the health-care industry into an approximation of the used-car industry is socially irresponsible.”

Spyros Andreopoulos  
Stanford, Calif.

YOUR REPORT ON MANAGED CARE WAS balanced and thoughtful and mercifully free of the shrillness that characterizes much of the commentary on this controversial subject [MANAGED CARE 1998, July 13]. Of course, managed care is flawed, but with an aging population and increasingly sophisticated—and expensive—technology, it is becoming almost impossible to align the ideal components of a successful health-care system: access, quality and cost containment. One solution is to make employers provide the sources for coverage but let the employee shop around for the best HMO that meets his or her needs. That way responsibility for health care will rest with the individual—and the marketplace.

David Woods, President  
Healthcare Media International, Inc.  
Philadelphia

AS MEDICAL CARE BECAME A TRILLION-dollar industry, investors who had made a killing in other sectors shifted their sights to the health-care industry. Managed care is seen as the most efficient way to extract new gold. The less doctors and hospitals provide, the more money they can make. The results: record gains—hospital profits alone hit a high of \$21.3 billion in 1996, up 25% from 1995—while more Americans than ever are uninsured. Most of the proposed, limited reforms will merely confine the worst abuses. What is needed is not containment but a fundamental overhaul.

Rose Ann DeMoro, Executive Director  
California Nurses Association  
San Francisco

TEN YEARS AGO, AS AN ACCOMMODATION to my patients who were being forced into managed care by their employers, I joined several HMOs. I struggled with the problem of denials and delays for years. Finally, at a substantial loss of income, I quit them all. I am much less busy, but my remaining patients are happier, and so am I. To pay for their competitive marketing and bloated administrative

overhead, the HMOs must raise premiums. It is time to get rid of HMOs. There are 41 million people in the U.S. without health insurance. We need a national, single-payer system.

Melvin H. Kirschner, M.D.  
Van Nuys, Calif.

IT'S TROUBLESOME THAT AMERICANS SEEM to think HMOs “deny their patients proper care.” HMOs mostly do exactly what they are contracted to do. If people want more, they should supplement the coverage with their own money or go somewhere else. That's the American way. And if HMOs are making such obscene profits, let's go buy stock in 'em.

Charles H. Lowry  
Garden Grove, Calif.

A FOR-PROFIT CORPORATION THAT RECEIVES reliable revenues, employs sharp-penciled “gatekeepers” who only grudgingly dole out “care” and cannot be sued may be an investor's dream, but it is a patient's worst nightmare.

Edward K. Garrison  
Chicago

BEING IN AN HMO HAS SAVED ME MORE than \$10,000 in the past three years. We just had a baby who cost us \$10 out of pocket. We've never had a problem with quality issues or failure to pay.

George Evans  
Dublin, Ga.

THE FACTS ABOUT THE VERY SAD AND untimely death of Barbara Garvey were not covered in full in your story. Her medical problems began when she noticed serious bruising, well before her vacation to Hawaii, but she refused to act on her doctor's admonition to get blood work done right away. The doctor Garvey saw in Hawaii said she was stable enough to travel back to Chicago. The focus of Rush Prudential Health Plans throughout Garvey's care stayed right where it belonged, not on trying to control costs—all the care she received was

covered by us—but on trying to support her doctors as they fought to save her life. We provided a nurse to fly back to Chicago with her, but unfortunately she died from the aplastic anemia. This was a terrible loss, and our sympathies are with her family.

Barbara B. Hill, President and CEO  
Rush Prudential Health Plans  
Chicago

AMERICANS WANT MAYO CLINIC-TYPE MEDICINE but don't want to pay for it; we want “someone else” to do that. We simply can't have it both ways. Either we must confront the need to ration services and procedures by the use of managed-care systems, or we must put more of our earnings into paying for our health care.

R. Barry Crook  
Oakland, Calif.

### The Tailwind Story

THE CNN AND TIME STORY ALLEGING that sarin nerve gas was used by U.S. forces in a secret operation in Laos known as Tailwind and your subsequent retraction of it [TO OUR READERS, July 13] left a bitter taste in my mouth. If so much contradictory information was available after the story was broadcast and published, why weren't those facts discovered beforehand?

Why weren't proper investigative techniques used to find the whole truth instead of once again attempting to embarrass the U.S. military over Vietnam? It is this type of shoddy, irresponsible and incomplete journalism that over the years has widened the gulf between the people in the U.S. military and those in the press corps.

(Former Sgt.) Daniel A. Bachrach  
U.S.M.C.  
Tampa, Fla.

I LIKED THE APOLOGY THAT APPEARED IN TIME because you said you had solid information that went up in smoke. I do not blame CNN and TIME; I blame the U.S. Department of Defense. Never stop digging and watching everything it does. I think it covered this up.

Name Withheld by Request  
Phoenix, Ariz.

YOU AND CNN BLEW YOUR JOURNALISTIC integrity with your Tailwind nerve-gas report. Henry Luce would have cleaned house, including the top brass. Until that happens and you return to hard-news and rock-solid journalistic ethics, how can you expect us to believe anything you print?

John L. Perry  
Knoxville, Tenn.



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TIME'S APOLOGY POINTEDLY AND UNFORTUNATELY avoided accepting any responsibility for the story that ran in its pages. That article, we are told, was "written by the CNN journalists," not by TIME's own correspondents. But did the CNN journalists sneak into TIME's offices in the dead of night and insert the article into the magazine? Where were TIME's editors? Shouldn't the emergence of such an incredible story after so many years have encouraged TIME to do some fact checking before printing the story? Apparently not. TIME's apology suggests that it prints whatever comes over the transom and checks the facts later.

Jay Weitzel  
Springfield, Va.

THERE ARE STILL UNANSWERED QUESTIONS about Tailwind. How could such vivid, seamless reportage, quoting a number of eyewitnesses and sources, be so totally reversed, supported by quotes from other "reliable" eyewitnesses and sources? And in your apology, some sources deny that anything in the CNN-TIME story was true. One person even says, "We did not use lethal gas, and we did not kill any defectors, men, women or children." So what was a sizable contin-

## More Than Just a Game



Roger Rosenblatt's memories of throwing the ball with his son [ESSAY, July 13] inspired a flood of thoughts from readers. "As I

read this piece, 60 years were peeled away, and I was back in the Bronx throwing a ball across a city street," Seymour Silverberg of Boynton Beach, Fla., remarked. Girls too play this game, as Virginia M. Souders of Chesapeake, Va., noted, "I was reminded of times spent tossing the ball around with my father and brothers. Catch was the cement for a lifetime of family love." Although Rosenblatt threw his pitching arm out when he was 13, Eddie DuPriest of Smyrna, Ga., thinks our essayist still has pretty good stuff. "He may have ruined his arm, but Rosenblatt's essay was a fastball right down the middle," cheered DuPriest. "My son will be home soon. Rather than continue our discussion of college choices, I think we'll just go outside and play catch, silently."

gent of heavily armed, Special Forces soldiers doing on that secret mission in Laos? Selling Girl Scout cookies?

Bruce Brashear  
Göteborg, Sweden

## Secret Capitals

STEVE LOPEZ'S ARTICLE ON THE U.S. CITIES that are the best at what they do was fantastic [BONUS SECTION, July 13]. Every town was treated with respect and consideration. The amusing aspects of each place were made funny, but not a joke. I want to run out right away and see each one of these places because of unique details you brought to light. I hope all your readers got as much of a kick out of the story as I did. Bravo for showcasing the bright spots of America!

Shana Rohde  
Katy, Texas

THE SECTION ABOUT DALTON, GA., THE "Carpet Capital," described how the city recruited Mexican teachers in order to attract Mexican workers. I found the condescending manner of some Dalton residents outrageous. You quoted an elderly Southern gentleman as saying, "I know these [Mexican] children are here to stay—as butchers, Realtors, car salesmen, physicians." Of course, the "physicians" remark was gratuitous. This man's attitude only reflects the fact that while the Hispanic population in the U.S. may be growing, our children are destined only to service the country's middle class unless they are better educated.

Karen Silca  
Miami

ELKHART, IND., WAS SPOTLIGHTED AS THE "Recreational Vehicle Capital" of the U.S. I've had to deal with the Elkhart agency enforcing child support for 14 years. Yet even in the high-tech '90s, it is not yet computerized. It's been frustrating to cope with an overloaded system bogged down by a lack of commonplace technology. Perhaps instead of funding an RV museum that no one visits, Elkhart's city fathers could better spend the town's money on modernizing an antiquated system that forces dependent children to do without and allows dead-beat dads to go free.

Gerri Motts  
Marietta, Ga.

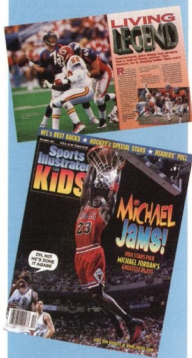
## Asia's New Order

AMERICA HAS LONG USED THE PLOY OF playing Japan against China in its game of Asian diplomacy [WORLD, July 13]. Bill Clinton has certainly been dazzled by the allure of China as a big market for U.S.

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products; he seems unable to see that country's true colors. I will say this to the Americans who want to stick their nose into our economic affairs: "You have not been asked to be a backseat driver; mind your own business."

*Tsutomu Nakamura  
Kamakura, Japan*

WE SHOULD BE JUBILANT THAT CLINTON was broadcast live on Chinese TV and radio. He was able to state the case for human rights very clearly in a historic forum, and his message will bear fruit over the next 10 years. China is far from perfect, but we should not look down on its human-rights record without recalling the U.S.'s own version of Tiananmen Square: Kent State, where the National Guard shot at students protesting the Vietnam War.

*Susan Mann  
La Jolla, Calif.*

PRESIDENT CLINTON REVIEWED COMMUNIST troops in Tiananmen Square, an action that told the world the deeds of the Chinese government, including the murder of protesters in 1989, didn't matter to the American people. And then he sold out 21 million free people in Taiwan by adhering to the one-China policy that does not support Taiwanese independence. Taiwan has now been set up the way South Korea was in the 1950s.

*Robert A. Cooper  
Phoenix, Ariz.*

CLINTON'S VISIT ALLOWED 1.2 BILLION Chinese to see the No. 1 person of the country that makes Coca-Cola, Nike sportswear and Boeing aircraft, all of which are quite familiar to Chinese eyes. Clinton's open exchange of views with Chinese President Jiang Zemin, Peking University students and callers in Shanghai is unparalleled. The Chinese have now seen a democratically elected leader talk with the people in an open way. And they may think twice about why their own party leaders are seldom seen in public, let alone speaking in an impromptu fashion with them.

*Xiao-ming Yu  
Charlottesville, Va.*

CHINA WANTED CLINTON'S TRIP TO improve the image of President Jiang in the eyes of the Chinese people and firm up his grip on power. This goal has apparently been achieved. But what did the U.S. gain? Not much. Now that the party is over, can we face the fact that China is a communist country? Is communism still a threat to the democratic world? To the Asian countries, Taiwan in particular, the answer is yes. The U.S., the leader of

the free world, should have second thoughts about the way it treats communist China and democratic Taiwan.

*Cheng-Min Tseng  
Port Elgin, Ont.*

## Getting Off Welfare

IT IS ABSURD TO THINK THAT THE KEY to ending welfare is teaching folks how to dress and explaining the concept of "boss" [NATION, July 13]. The problems of poverty and unemployment in low-income neighborhoods are deeply entrenched. Quick-fix policies blind us to real solutions, such as fully funding our schools and providing jobs that pay a wage that can support a family.

*Hunter Cutting  
San Francisco*

I DON'T LIKE THE GLORIFICATION OF PARTICIPANTS in the welfare-to-work program. If I continue to work hard, I won't have to go on welfare—ever. Why praise people who are doing what they should have been doing all along—working!

*Deborah Anne Redfern  
Kenosha, Wis.*

THE MORE SUCCESS THIS GENERATION of welfare recipients has in finding jobs, the more likely it is that their children will

be employed when they become adults. Since the work ethic is often learned from parents, more work and less welfare-program participation by parents will discourage children from going on welfare. The real bridge to the 21st century is jobs that teach welfare recipients the skills they need to move up the ladder to self-sufficiency. So long as the bridge isn't roadblocked by government wage and tax policies that destroy entry-level jobs, this success will be passed on to future generations.

*Thomas K. Dilworth, Research Director  
Employment Policies Institute  
Washington*

## Remembering a Princess

A MEMORIAL TO PRINCESS DIANA IS NECESSARY for the many people who loved and respected her [WORLD, July 13]. She is going to be a notable figure in history. You snidely referred to the memorial site at the Spencer family home as "Diana-land"; just call it Althorp.

*Jeanne McCartin  
Ossining, N.Y.*

THE LEGEND OF DIANA IS JUST BEGINNING. The people of Britain are very proud of their beautiful princess, who lit up the world with her unique smile and traveled the globe bringing peace and harmony everywhere she went.

*Frank A. Lopez  
Redwood City, Calif.*

## Correction

OUR STORY ON HOT INTERNET COMPANIES [THE INTERNET ECONOMY, July 20] included a graphic on the founders of Excite that gave their wealth in billions of dollars instead of millions. The correct figures are: \$28.4 million for Joe Kraus and \$19.4 million for George Bell.

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# NOTEBOOK

## VERBATIM

“Where is everybody else? ”

**JOHN TEKWI,**

Governor of West Sepik province, Papua New Guinea, on viewing the devastation wrought by a tsunami

“I know that there is a God, and I see a storm coming. If he has a place for me, I am ready. ”

**JOHN F. KENNEDY,**

in a note written on June 5, 1961, after his unsuccessful meeting with Soviet Premier Nikita Khrushchev, found by his secretary and made public just last week

“Who put Viagra in the thermometer? ”

**HOUSTON CAR-WASH SIGN,**

a commentary on the heat wave that had most of the country in its grasp and that accounted for scores of deaths

“I have become the go-to guy on genitalia. ”

**REP. BARNEY FRANK,**

noting the media's tendency to ask him for comments on the Starr investigation and Trent Lott's views on gays

Sources: Tekwi, Kennedy, Viagra (AP); Frank, (Washington Post)



ILLUSTRATION BY JIMMY KIMBLE

**HIT THE BEACH!** Fronted by Tom Hanks, Steven Spielberg's *Saving Private Ryan* landed in movie theaters last weekend, providing a joltingly astringent alternative to the escapist fare traditionally associated with the summer season

## WINNERS & LOSERS



**JAMES JOYCE**

His *Ulysses* is named century's best novel. Is Joyce somewhere gloating? "yes I said yes!"

**MIKE MCCURRY**

Adroit Clinton mouthpiece steps down, credibility largely intact. Pastures of punditry await

**SEX**

Defense Department aims to reduce penalties for adulterers in uniform. A liberal Pentagon?

**DARYL JONES**

Air Force Secretary nominee takes flak, goes down in flames. Hey, like in Clinton's first term!

**JERRY KRAUSE**

Bulls V.P. plays games with Jordan, picks coach-in-waiting, Yo, Jer, who pays to see you work?

**SEX**

Mayor Giuliani aims to close strip clubs and sex shops. A conservative New York?



ARCHIVE PHOTOS

PHOTOGRAPH BY JEFFREY M. HARRIS



## THE SCOOP

## PUBLISHING

Ex-Columnist's Lies  
May Haunt New Book

**HARCOURT BRACE** WOULD SEEM TO HAVE A major p.r. headache on its hands. The co-author of one of its lead fall titles, *Africans in America: America's Journey through Slavery*, is **PATRICIA SMITH**, the Boston *Globe* columnist who was asked to resign in June after she was found to have fabricated four columns. Harcourt executive editor Jane Isay says the firm still plans to publish the book, which was co-authored with novelist Charles Johnson and is the companion to a PBS series. "She is a wonderful writer. Her prose is riveting," says

Isay, who nonetheless concedes that Harcourt Brace was forced to reread the whole book after the scandal broke. "It's been vetted and vetted," she says. "The footnotes were double-checked." Let's hope that's enough. Last week the *Globe* said there are still 52 columns by Smith that it cannot confirm. Why would Smith be so accurate with Harcourt Brace and so loose with the *Globe*? "You'd have to ask her," says Isay.

—By Andrea Sachs/  
New York

## CALIFORNIA

Corporate Power Is  
Backing Hispanic Power

WHEN **A. JERROLD PERENCHIO**, AN ITALIAN-American Republican, poured \$1.5 million into fighting California's anti-bilingual-education initiative two months ago, it seemed an obvious ploy: Perenchio, as head of Univision, the major Spanish-language TV network, was seeking to curry favor with his audience. But Perenchio wasn't alone. Millions of dollars are now being poured into pro-Latino causes by such corporations as AT&T, GTE, Miller Brewing and Kaiser Permanente. One grass-roots group, the Southwest Voter

Registration Project, has received a \$500,000 pledge from State Farm Insurance (to be paid over five years), and its recent "Feel the Power" convention was partly sponsored by ARCO (a company that was boycotted by Hispanics in 1994 after it supported Governor Pete Wilson, backer of the anti-immigrant Proposition 187). With Hispanics at more than a quarter of California's population, these companies are seeking goodwill, but the impact of corporate generosity goes beyond customer loyalty. The funding of Latino registration and get-out-the-vote efforts is likely to benefit Democrats, particularly gubernatorial candidate Gray Davis, who is running on a ticket with Lieutenant Governor candidate **CRUZ BUSTAMANTE**, the first Latino speaker of the California assembly. An estimated 600,000 new Hispanic voters have



Bustamante



Cooper

registered in California since Prop 187, and, for the most part, they are not voting Republican.

—By Margot Hornblower/  
Los Angeles

## SORROW AND PITY

Conitron Goes Online  
As War Criminals Repent

THE MEMBERS OF CHU-KI-NREN, A GROUP of repentant Japanese war criminals whose name means "Those Who Returned from China," are guilty of many things: some raped and killed in Nanking; others did Nazi-style medical "research" on captured Chinese. After years of expressing regret quietly in Japan, Chu-Ki-Nren members are seeking to apologize to American audiences, but Washington's ban on visas for war criminals is preventing them. Convinced, however, that the group's regrets should be heard, **RABI ABRAHAM COOPER**, associate dean at the Simon Wiesenthal Center's



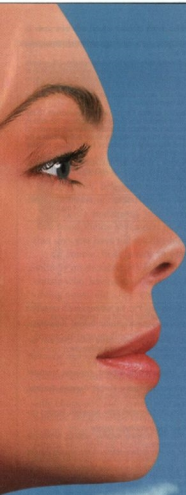
Cooper

Museum of Tolerance in Los Angeles, has organized a trans-Pacific video conference, to take place on the Internet Aug. 16 and be covered by Japan's top TV network, NHK. Panelists in Los Angeles will question four Chu-Ki-Nren members in Tokyo, among them a veteran of Nanking and a doctor from Manchuria's infamous 731 medical unit. "I felt very conflicted," Cooper recalls when he first met with Chu-Ki-Nren in Tokyo. "Imagine sitting across the table from **JOSEPH MENGELE**." Still, he decided to help because "young people in Japan live in a historical black hole." —By James Willwerth/Los Angeles

## THE DRAWING BOARD







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but blue skies  
from now on"*

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\*These findings were based on a sales comparison of loratadine (US dollars) with other leading antihistamines. (IMS International Prescription Audit, September 1994 to January 1996)

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# CLARITIN® brand of loratadine TABLETS, SYRUP, and RAPIDLY-DISINTEGRATING TABLETS

**BRIEF SUMMARY** (For full Prescribing Information, see package insert.)

**INDICATIONS AND USAGE:** CLARITIN is indicated for the relief of nasal and non-nasal symptoms of seasonal allergic rhinitis and for the treatment of chronic idiopathic urticaria in patients 6 years of age or older.

**CONTRAINDICATIONS:** CLARITIN is contraindicated in patients who are hypersensitive to this medication or to any of its ingredients.

**PRECAUTIONS:** General: Patients with liver impairment or renal insufficiency (GFR < 30 mL/min) should be given a lower initial dose (10 mg every other day). (See CLINICAL PHARMACOLOGY: Special Populations.)

**Drug Interactions:** Loratadine (10 mg once daily) has been administered with therapeutic doses of erythromycin, cimetidine, and ketocazole in controlled clinical pharmacology studies in adult volunteers. Although increased plasma concentrations (AUC 0-24 hrs) of loratadine and/or desloratadine were observed following coadministration of loratadine with each of these drugs in normal volunteers (n = 24 in each study), there were no clinically relevant changes in the safety profile of loratadine, as assessed by electrocardiographic parameters, clinical laboratory tests, vital signs, and adverse events. There were no significant effects on QTc intervals, and no reports of sedation or syncope. No effects on plasma concentrations of cimetidine or ketocazole were observed. Plasma concentrations (AUC 0-24 hrs) of erythromycin decreased 15% with coadministration of loratadine relative to that observed with erythromycin alone. The clinical relevance of this difference is unknown. These above findings are summarized in the following table:

**Effects on Plasma Concentrations (AUC 0-24 hrs) of Loratadine and Desloratadine After 10 Days of Coadministration (Loratadine 10 mg) in Normal Volunteers**

	Loratadine	Desloratadine
Erythromycin (500 mg Q8h)	- 40%	+46%
Cimetidine (300 mg Q6h)	+102%	+ 6%
Ketocazole (200 mg Q12h)	+307%	+73%

There does not appear to be an increase in adverse events in subjects who received oral contraceptives and loratadine.

**Carcinogenesis, Mutagenesis, and Impairment of Fertility:** In a 18-month carcinogenicity study in mice and a 2-year study in rats, loratadine was administered in the diet at doses up to 40 mg/kg (mice) and 25 mg/kg (rats). In the carcinogenicity studies, pharmacokinetic assessments were carried out to determine animal exposure to the drug. AUC data demonstrated that the exposure of mice given 40 mg/kg of loratadine was 3.6 (loratadine) and 18 (desloratadine) times higher than in humans given the maximum recommended daily oral dose. Exposure of rats given 25 mg/kg of loratadine was 28 (loratadine) and 67 (desloratadine) times higher than in humans given the maximum recommended daily oral dose. Male mice given 40 mg/kg had a significantly higher incidence of hepatocellular tumors (combined adenomas and carcinomas) than concurrent controls. In rats, a significantly higher incidence of hepatocellular tumors (combined adenomas and carcinomas) was observed in males given 10 mg/kg and males and females given 25 mg/kg. The clinical significance of these findings during long-term use of CLARITIN is not known. In mutagenicity studies, there was no evidence of mutagenic potential in reverse (Ames) or forward point mutation (CHO-HGPRT) assays, or in the assay for DNA damage (rat primary hepatocytes unscheduled DNA assay) or in two assays for chromosomal alterations (human peripheral blood lymphocyte clastogenesis assay and the mouse bone marrow erythrocyte micronucleus assay). In the mouse lymphoma assay, a positive finding occurred in the nonactivated but not the activated phase of the study.

Decreased fertility in male rats, shown by fewer female conceptions, occurred at an oral dose of 64 mg/kg (approximately 50 times the maximum recommended human daily oral dose on a mg/m<sup>2</sup> basis) and was reversible with cessation of dosing. Loratadine had no effect on male or female fertility or reproduction in the rat at an oral dose of approximately 24 mg/kg (approximately 20 times the maximum recommended human daily oral dose on a mg/m<sup>2</sup> basis).

**Pregnancy Category B:** There was no evidence of animal teratogenicity in studies performed in rats and rabbits at oral doses up to 96 mg/kg (approximately 75 times and 150 times, respectively, the maximum recommended human daily oral dose on a mg/m<sup>2</sup> basis). There are, however, no adequate and well-controlled studies in pregnant women. Because animal reproduction studies are not always predictive of human response, CLARITIN should be used during pregnancy only if clearly necessary.

**Nursing Mothers:** Loratadine and its metabolite, desloratadine, pass easily into breast milk and achieve concentrations that are equivalent to plasma levels with an AUC<sub>0-12h</sub>/AUC<sub>0-24h</sub> ratio of 1.17 and 0.85 for loratadine and desloratadine, respectively. Following a single oral dose of 40 mg, a small amount of loratadine and desloratadine was excreted into the breast milk (approximately 0.03% of 40 mg over 48 hours). A decision should be made whether to discontinue nursing or to discontinue the drug, taking into account the importance of the drug to the mother. Caution should be exercised when CLARITIN is administered to a nursing woman.

**Pediatric Use:** The safety of CLARITIN Syrup at a daily dose of 10 mg has been demonstrated in 183 pediatric patients 6-12 years of age in placebo-controlled 2-week trials. The effectiveness of CLARITIN for the treatment of seasonal allergic rhinitis and chronic idiopathic urticaria in this pediatric age group is based on an extrapolation of the demonstrated efficacy of CLARITIN in adults in these conditions and the likelihood that the disease course, pathophysiology, and the drug's effect are substantially similar to that of the adults. The recommended dose for the pediatric population is based on cross-study comparison of the pharmacokinetics of CLARITIN in adults and pediatric subjects on the safety profile of loratadine in both adults and pediatric patients at doses equal to or higher than the recommended doses. The safety and effectiveness of CLARITIN in pediatric patients under 6 years of age have not been established.

**ADVERSE REACTIONS:** CLARITIN Tablets: Approximately 90,000 patients, aged 12 and older, received CLARITIN Tablets 10 mg once daily in controlled and uncontrolled studies. Placebo-controlled clinical trials at the recommended dose of 10 mg once a day varied from 2 weeks to 6 months' duration. The rate of premature withdrawal from these trials was approximately 2% in both the treated and placebo groups.

REPORTED ADVERSE EVENTS WITH AN INCIDENCE OF MORE THAN 2% IN PLACEBO-CONTROLLED AND ALLERGIC RHINITIS CLINICAL TRIALS IN 12 YEARS OF AGE AND OLDER

	PERCENT OF PATIENTS REPORTING			
	LOTATADINE 10 mg QD n = 1926	PLACEBO n = 2545	CLAMENASTINE 1 mg BID n = 536	TERFENADINE 60 mg BID n = 684
Headache	12	11	8	8
Somnolence	8	6	22	9
Fatigue	4	3	10	2
Dry Mouth	3	2	4	3

Adverse events reported in placebo-controlled chronic idiopathic urticaria trials were similar to those reported in allergic rhinitis studies.

Adverse event rates did not appear to differ significantly based on age, sex, or race, although the number of nonwhite subjects was relatively small.

**CLARITIN REDITABS (loratadine rapidly-disintegrating tablets):** Approximately 500 patients received CLARITIN REDITABS (loratadine rapidly-disintegrating tablets) in controlled clinical trials of 2 weeks' duration. In these studies, adverse events were similar in type and frequency to those seen with CLARITIN Tablets and placebo.

Administration of CLARITIN REDITABS (loratadine rapidly-disintegrating tablets) did not result in an increased reporting frequency of mouth or tongue irritation.

**CLARITIN Syrup:** Approximately 300 pediatric patients 6 to 12 years of age received 10 mg loratadine once daily in controlled clinical trials for a period of 8-15 days. Among these, 183 children were treated with CLARITIN Syrup once daily in placebo-controlled trials. Adverse events in these pediatric patients were observed to occur with type and frequency similar to those seen in the adult population. The rate of premature discontinuance due to adverse events among pediatric patients receiving loratadine 10 mg daily was less than 1%.

**ADVERSE EVENTS OCCURRING WITH A FREQUENCY OF ≥ 2% IN LOTATADINE SYRUP-TREATED PATIENTS (6-12 YEARS OLD) IN PLACEBO-CONTROLLED TRIALS, AND MORE FREQUENTLY THAN IN THE PLACEBO GROUP**

	PERCENT OF PATIENTS REPORTING		
	LOTATADINE 10 mg QD n = 198	PLACEBO n = 262	CHLORPHENIRAMINE 2-4 mg BID/TID n = 170
Nervousness	4	2	2
Wheezing	4	2	5
Fatigue	3	2	5
Hypertension	3	1	1
Abdominal Pain	2	0	0
Conjunctivitis	2	<1	1
Dysphonia	2	<1	0
Malesia	2	0	1
Upper Respiratory Tract Infection	2	<1	0

In addition to those adverse events reported above (≥ 2%), the following adverse events have been reported in at least one patient in CLARITIN clinical trials in adult and pediatric patients:

**Autonomic Nervous System:** Altered lacrimation, altered salivation, flushing, hypotension, impotence, increased sweating, thirst.

**Body As A Whole:** Angioedema; edema, asthenia, back pain, blurred vision, chest pain, earache, eye pain, fever, leg cramps, malaise, rigors, tinnitus, viral infection, weight gain.

**Cardiovascular System:** Hypertension, hypotension, palpitations, supraventricular tachycardia, syncope, tachycardia.

**Central and Peripheral Nervous System:** Biphosphorus, dizziness, dysphonia, hypertension, migraine, paresthesia, tremor, vertigo.

**Gastrointestinal System:** Altered taste, anorexia, constipation, diarrhea, dyspepsia, flatulence, gastritis, hiccup, increased appetite, nausea, stomatitis, toothache, vomiting.

**Musculoskeletal System:** Arthralgia, myalgia.

**Psychiatric:** Agitation, amnesia, anxiety, confusion, decreased libido, depression, impaired concentration, insomnia, irritability, somnolence.

**Reproductive System:** Breast pain, dysmenorrhea, menorrhagia, vaginitis.

**Respiratory System:** Bronchitis, bronchospasm, coughing, dyspnea, epistaxis, hemoptysis, laryngitis, nasal dryness, pharyngitis, sinusitis, sneezing.

**Skin and Appendages:** Dermatitis, dry hair, dry skin, photosensitivity reaction, pruritus, purpura, rash, urticaria.

**Urinary System:** Altered micturition, urinary discoloration, urinary incontinence, urinary retention.

In addition, the following spontaneous adverse events have been reported rarely during the marketing of loratadine: abnormal hepatic function, including jaundice, hepatitis, and hepatic necrosis; alopecia; anaphylaxis; breast enlargement; erythema multiforme; peripheral edema; and seizures.

**OVERDOSEAGE:** In adults, somnolence, tachycardia, and headache have been reported with overdoses greater than 10 mg with the Tablet formulation (40 to 180 mg). Extrapyramidal signs and palpitations have been reported in children with overdoses of greater than 10 mg of CLARITIN Syrup. In the event of overdose, general symptomatic and supportive measures should be instituted promptly and maintained for as long as necessary.

Treatment of overdose would reasonably consist of emesis (pecan syrup), except in patients with impaired consciousness, followed by the administration of activated charcoal to absorb any remaining drug. If vomiting is unsuccessful, or contraindicated, gastric lavage should be performed with normal saline. Saline cathartics may also be of value for rapid dilution of bowel contents. Loratadine is not eliminated by hemodialysis. It is not known if loratadine is eliminated by peritoneal dialysis.

No deaths occurred at oral doses up to 5000 mg/kg in rats and mice (greater than 2400 and 1200 times, respectively, the maximum recommended human daily oral dose on a mg/m<sup>2</sup> basis). Single oral doses of loratadine showed no effects in rats, mice, and monkeys at doses as high as 10 times the maximum recommended human daily oral dose on a mg/m<sup>2</sup> basis.

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CLARITIN REDITABS (loratadine rapidly-disintegrating tablets) are manufactured for Schering Corporation by Scher D, Ltd., England.

U.S. Patent Nos. 4,282,233 and 4,371,516.

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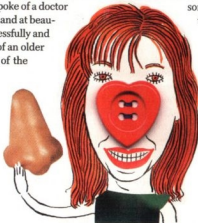


## A Nose for Posternity

**I**F PAULA JONES HAS GOT HERSELF A NEW NOSE, I HOPE IT turns out to be, as my mother would have put it, cute as a button. Self-improvement is the American way. I was not among those who made snide remarks about Linda Tripp's makeover. Just because your behavior calls to mind Victor McLaglen in *The Informer*, there is no law that says you have to look like him as well.

Of course, final results in plastic surgery are not absolutely predictable. My father often spoke of a doctor cousin who, having decided to try his hand at beautifying noses, did a few teenagers successfully and then, after unwrapping the bandages of an older patient, watched in horror as the tip of the gorgeous new sniffer slowly began to droop toward the patient's chin.

On the other hand, this cousin was an ear-nose-and-throat specialist by training. The doctor who reportedly chopped Paula Jones' schnozz is a plastic surgeon who charges \$9,000 a pop. That must be reassuring for Jones; in medical matters, as in so much of high-end commerce in this country, shameless overcharging is a great confidence builder. For the rest of us, it's reassuring to know that this procedure took place in New York rather than California, where Jones lives. If the surgery does happen to result in litigation, the medical-practice attorney who defends the surgeon would presumably not be William Ginsburg of Los Angeles. Seeing Ginsburg and Jones in a courtroom together would have made many of us feel that we're watching the last act of a very long play we hadn't intended to go to in the first place.



The sad part of this for Paula Jones is that, unless the legal commentators are underestimating the chances of her case on appeal, she is going to go down in history with her old nose. I am reminded of the young woman who had the misfortune to be with Nelson Rockefeller when he suffered a fatal heart attack. Wisely, she fled the press hounds, but the only picture of her that photo editors could find to run *incessantly* made her look rather lumpish. I could imagine her, safe in some unused summer house, fighting the temptation to return just long enough to get a more flattering picture into the record.

That would have been perfectly understandable. In a way, all the principals in our latest scandal have spent a lot of time trying to improve the picture of themselves that's in the record. Monica Lewinsky subjected herself to glitz-porn on the beach in an effort to replace that awful shot of her in the beret. In hiring a spokesman, Kenneth Starr was hoping we'd forget that picture of him smiling insipidly in his driveway while holding a black plastic bag of garbage. The President hopes that pictures of him toasting world leaders will replace the picture of him chewing his lower lip while being evasive about Lewinsky. And why did Linda Tripp show up at the grand jury with not only a makeover but also her two children? She wants the picture in our minds to be of a mom. Gypo Nolan, the character Victor McLaglen played, may have been, all in all, more admirable than Tripp; at least he had pangs of remorse for betraying his friend. But he never managed to get a sympathetic picture into the record.

## CONTEST CORNER

**YOUR TURN** Calling all humorists! Here's your challenge in our first-ever Contest of the Week: Can you top Michael Pappas? Last week the New Jersey Congressman sang an ode to Kenneth Starr on the House floor to the tune of *Twinkle, Twinkle Little Star*.

An excerpt:

When subpoenas and lies are gone,  
When obstruction shines upon,  
Then you throw your trump  
cards down,  
Twinkle, twinkle all brought down.  
Twinkle, twinkle Kenneth Starr,  
Now we see how brave you are!

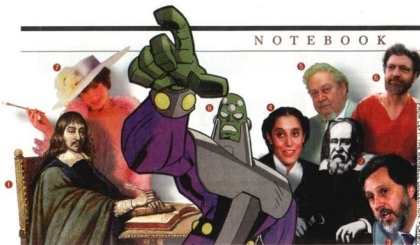
To enter, stop boing, adapt a nursery rhyme of your choice and compose a stanza on your favorite newsmaker. Fax your entry to 212-467-1010, e-mail it to [Letters@TIME.com](mailto:Letters@TIME.com) or mail it to TIME Notebook Contest #1, Room 2321B, Time & Life Building, New York, N.Y. 10020. Watch this space for the winning entry.

## RETAIL



CHALLENGE PHOTO FOR TIME

**THE LATEST RIPOFF** This con-artist play gives new meaning to the phrase "Shop till you drop." A letter in this month's *Journal of Accident and Emergency Medicine* reports on two British women who feigned collapse at cashier's counters every few days. When they were put into ambulances, bystanders also packed in their goods. Once at the hospital, "recovery is rapid." Result: free, if felonious, shopping.



## Jamming with the Sephardic Santana

**T**HE HASIDIC ROCK MOVEMENT IS ALIVE and well, as we found out when we spoke to aleph-list guitarist Yosi Piamenta, who has won comparisons with Jimi Hendrix from New York audiences.

**Q:** What sort of musician are you?

**A:** My expertise is cutting-edge rock 'n' roll, but my vocabulary and influence—aside from rock—are Jewish music from the Orient and Europe.

**Q:** How did you start playing?

**A:** I got my first guitar for my bar mitzvah. My father smashed it when my grades began to drop.

**Q:** If you were stranded on an island, what CDs would you want with you?

**A:** Hendrix's *Axix: Bold as Love, Birds of Fire* by the Mahavishnu Orchestra, and *Sgt. Pepper* by the Beatles.

**Q:** What do you think of Eddie Van Halen?

**A:** I feel like I know him because I know his music so well. I feel the same about Santana and Hendrix.

**Q:** Do the Hasidim approve of all this partying?

**A:** Yes! King David played the violin. The prophets produced their prophecies through music. So nobody who really follows the Torah can say music has any contradiction with Jewish life.



BY BETHLEHEM GILBERT

## Ask Dr. Notebook: Is It Possible to Be Too Smart?

**H**OPING TO BECOME A POLICEMAN IN NEW LONDON, CONN., ROBERT JORDAN, A CORRECTIONS officer, took the exam and scored well. In fact, too well. The town dropped the top 63 scorers, perhaps thinking they would be too intellectually restless to walk a beat. Now Jordan is suing the town, arguing that he's been discriminated against because he's intelligent. How common is it to be too smart for one's own good? Apparently, very.

- 1 **RENÉ DESCARTES** Appointed tutor to Queen Christina of Sweden, who orders him to write a ballet in verse and a comedy in five acts and to rise at 5 a.m. to teach philosophy. He catches a chill and dies of pneumonia.
- 2 **GALILEO GALILEI** Empirically confirms that the earth moves around the sun. Is forced to recant and sentenced to house arrest.
- 3 **DAVID PUTTNAM** Producer of classy films like *Chariots of Fire* is named chairman of Columbia Pictures. Soon disparages the work of Dustin Hoffman, Bill Murray and Bill Cosby. Departs before long.
- 4 **LANI GUINIER**, 5 **ROBERT BORK** Both write provocative articles that elevate their reputations. Both get nominated to high positions. Then, sadly, their enemies read the articles.
- 6 **THEODORE KACZYNSKI** Math professor believes civilization has gone haywire. Writes unsigned article about it. Brother reads it. Thinks, "Sounds like Ted!"
- 7 **PLAYBOY MAGAZINE** Editors have the bright idea to run a pictorial feature on "The Women of Mensa." Issue sells poorly.
- 8 **BRAINAC** An ambitious scientist is bent on world domination, but Superman—who is smart but not too smart—stops him.

—By Edgar Ortega Barrales

Got a question for Dr. Notebook? Send an e-mail to [Letters@time.com](mailto:Letters@time.com), or write Dr. Notebook at TIME, Room 2328, Time & Life Building, New York, N.Y. 10020.

## TRIP TIPS

**WHEN IN ROME ...** For some dos and don'ts to remember this travel season, we checked out our travel guides and checked in with protocol expert Mary Kay Metcalf at Creative Marketing Alliance in New Jersey. Our *oylletette* tips:


**STRANGERS BEARING GIFTS:** Beware what you offer your host. Pass up chrysanthemums in Argentina (they denote funerals), clocks in China (the written characters resemble those for death) and red pens in South Korea (red ink conveys unfriendliness).

**FOOD FOR THOUGHT:** Don't be gauche. In Saudi Arabia and other Islamic countries, eat and drink with your right hand; the left is considered unclean.

**GESTURES:** Your mother was right. Don't point. But if in Singapore you must, use your thumb, not your forefinger, lest it be taken as an insult or obscenity. In Russia, don't shake hands across a threshold; it might invite bad luck. In Buddhist lands like Burma, don't pat a child on the head; it's the spiritually highest part of the body.



**HIDDEN MEANINGS.** In Japan, you nod your head in agreement; your host smiles and thinks you're paying attention. In Egypt, you shake your head in disagreement; your host frowns and wonders why you don't understand. In Mexico, don't call her *señora*, which can imply aging; call her *señorita*. And in Zimbabwe, don't ask, "Is it far?"; out of courtesy people will answer, "Not far." (Be specific and ask, "How long does it take by foot?")

OFFICIAL TRUCK OF  NASCAR

Courage. All in 16.84 seconds.

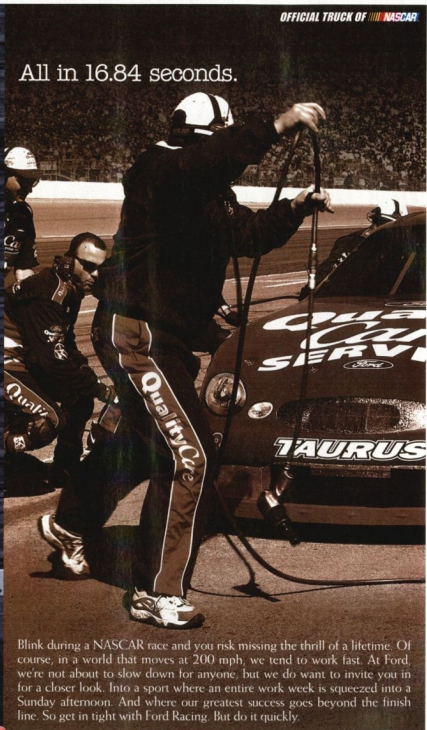
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Education.

Gratitude.

Passion.



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*To* lose a house is devastating. To discover afterwards you didn't have the right insurance, is catastrophic. An Allstate Agent can help you choose the right coverage to land on your feet once the dust settles.

Who's your agent? **Being in good hands is the only place to be.**





## MILESTONES



**RESIGNING. MIKE MCCURRY**, 43, likable, verbally nimble presidential press secretary whose 3½-year tenure was marked by his artful and droll containment of a voracious White House press corps. He will be replaced by deputy press secretary Joseph Lockhart.

**ELECTED. KEIZO OBUCHI**, 61, president of Japan's ruling Liberal Democratic Party and thus virtually certain to become the country's new Prime Minister. A cautious politician who most recently served as Foreign Minister, he won the party vote despite overwhelming public opposition and a revolt by younger party members who argued that Japan's economic crisis necessitated a bolder leader.

**DIED. MARK HAMPTON**, 58, debonair interior designer who brought low-key luxury to top-drawer America; of cardiac arrest brought on by liver cancer; in New York City. Among Hampton's well-heeled clients were President and Mrs. George Bush, for whom he helped refurbish the White House.

**DIED. RICHARD EBERLING**, 68, convict accused by the son of Dr. Sam Sheppard of being the real killer of Sheppard's pregnant wife in 1954; after a lengthy illness; in Orient, Ohio. Sam Sheppard served nearly 10 years for the crime but was acquitted in a 1966 retrial and died four years later. Eberling, who had

washed windows at the Sheppards' suburban Cleveland home, denied any involvement in the killing. He died while in prison for another murder.



**DIED. HERMANN FREY**, 69, German baritone known for his interpretation of Schubert lieder and comic operatic characters during a 46-year international career; of a heart attack; near Munich.

**DIED. TAZIO SECCHIAROLI**, 73, celebrity-hounding photographer whose stalking inspired the character named Paparazzo—thereafter the term for members of his pesky trade—in the 1960 film *La*



*Dolce Vita*; of a heart attack; in Rome.

**DIED. ALAN SHEPARD**, 74, unflappable space hero who in 1961 became the first American in space and, in 1971, one of only 12 men to walk on the moon; in Monterey, Calif. (see Eulogy, below).

**DIED. DON DUNPHY**, 90, announcer considered the voice of boxing, who in his 50-year career called more than 2,000 fights, including 50 heavyweight championships and Muhammad Ali's first and last bouts; in Roslyn, N.Y.

**DIED. ROBERT YOUNG**, 91, television's benevolent authority figure for two decades, first as the patriarch on *Father Knows Best* and later as Marcus Welby M.D.; in Los Angeles. In 1954, after a solid but unspectacular movie career during the 1930s and '40s, he accepted the role of Jim Anderson on *Father Knows Best*, a highly glossed depiction of family life that was comforting and enormously popular; it left the air as a top-rated program. As he portrayed the ideal father, so too did he embody the ideal doctor as Welby, a physician who cared enough to treat the person along with the illness. His controlled characters belied a troubled off-screen life, however, as over the years Young struggled with alcoholism and depression and in 1991 attempted suicide.

## EULOGY

**ALAN SHEPARD** was many things. He was a patriot, a leader, a competitor, a hero, a friend. When we seven were named America's first astronauts, Al stood out. I had first met him when we were test pilots, but not until the Mercury program did I see the determination, toughness and courage of Alan Shepard.

Remember, it was the depths of the cold war. After Sputnik, our technological superiority was questioned; we were being beaten by a country that bragged, "America will sleep under a Russian moon." But Al brought us back. He brought us back by carrying the American questing spirit on his shoulders into the



heavens. He brought us back because he took the Soviet challenge not only as a patriot—he took it personally.

All seven of us saw the failures in those early Redstone rocket tests, but that didn't deter us—especially not Al. Waiting in his capsule through yet another delay before his historic mission, we heard him bark, "Why don't you fix your little problem and light this candle?" That moment says more about Alan Shepard than anything else.

America has lost one of its true adventurers, and Scott, Gordo, Wally and I have lost another brother. Al is now on the ultimate high flight. We will all miss him very much.

—Senator John Glenn

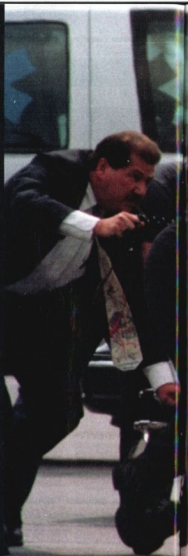
By Tam Gray, Dara Horn, Ian Jutson, Michele Orecchia, Edgar Ortega Barrales, Alain Sanders and Jessica Yadegaran

N A T I O N

# MURDER IN THE HOUSE



Shots, screams and heroism as a gunman invades the Capitol



ATTACK Weston killed Gibson, top right, and Chestnut; tourist Angela Dickerson was wounded

EVACUATION The fatally injured Gibson is rushed from the Capitol to a helicopter

By NANCY GIBBS

THE U.S. CAPITOL CAN FEEL LIKE A World's Fair on pretty afternoons in late July. People dress well for the White House tour, keep their voices down because that is the President's House, but this is Our House. That was the whole idea. We come by the hundreds, thousands, in tank tops and flip-flops, to see where Webster debated and wars were declared and National Mushroom Month was inscribed onto the nation's calendar. Boy Scouts pose for pictures, senior citizens wear buttons and troll for a Congressman to pester, Pentecostal pilgrims deliver copies of the Ten Commandments and pray outside on the lawn,

heavyweight champs and movie stars with a cause and CEOs come to call and oh, yes—the lawmakers themselves can walk the halls unmolested because no one really recognizes them unless they have a ribbon of reporters around them. The People have the run of the place; no guides required.

The lawmakers may be the only suits in the city who haven't been cutting out early for the weekend. It's the busy season: they work late and start again early because the Do-Nothing Congress needs something to run on in November. And so last week saw everything from a vote to send condolences to Florida for its wildfires to trade votes, abortion fights and a health-care bill passed just moments before the bell rang shortly after 3:10 p.m., telling lawmakers that school was out, the week's work was over and they

could go home. John Boehner, the fourth-ranking House Republican, was sitting in his hideaway, the small office he often uses for meetings on the Capitol's first floor. There is a wheelchair access ramp outside, and when he heard a strange noise in the hall, "I thought it was just somebody pushing a cart up the ramp outside the door."

Officer Jacob Chestnut, 58, an 18-year veteran of the Capitol Police who was looking forward to retiring in a few months, was smiling, greeting visitors at the security checkpoint at the Document Room entrance on the House side. It was about 3:40 when Russell Weston Jr., 41, came through the doors, dressed in khakis and a hat, and tried to go around the metal detectors. Hold on a minute, Chestnut said, moving to stop him as he tried to barge through. Weston





pulled out a revolver and shot him in the head, then ran down the hall toward the Crypt, the busy crossroads directly beneath the vast Capitol Rotunda. Tourists began screaming, "He's got a gun!" and dropped to the floor, grabbing children, rolling behind columns, trying to get smaller. Weston came to a door marked PRIVATE: DO NOT ENTER. It was the back door to House majority whip Tom DeLay's suite, the door staff members use to slip in and out of the warren of offices.

Around 30 House-leadership staff members were inside, cleaning up the week's business after the final big health-care vote, toasting their success with champagne. DeLay himself was back in his private office. His plainclothes guard, Special Agent John Gibson, 42, was sitting near the rear entrance when the normal merry

chaos of the afternoon was punctured by sharp explosions in the hall. Gibson knew it was gunfire and had his hand on his hip as he moved toward the door. A leadership staff member yelled "Everybody get down, get down!" and pushed people under the desks and into side offices.

Weston came charging into DeLay's suite, already hit by the hail of fire from the other cops at the entrance. "They were laying down some lead," says a staff member who was inside. Gibson, also an 18-year veteran, saw the gun and did it by the book. He yelled, "Drop your weapon!" Weston got off two shots, hitting Gibson in the leg and chest; Gibson shot him in the leg, and both men went down, Weston's gun landing on a staff member's desk. DeLay burst from his office at the sound of the shooting and began

grabbing people and pushing them into his office, herding some of the women into a private bathroom and locking the door. There was blood everywhere. With so much gunfire, a source inside says, "we didn't know if it was terrorists or not." As Chestnut and Gibson lay dying, Capitol police swarmed in, surrounded Weston, got his gun and trained theirs on his head. He was woozy, bleeding from multiple wounds in his legs and chest, but conscious as emergency medics arrived and went to work. "Thank God there was a good guy with a gun," says the staff member, "or there would have been a lot more dead people."

Outside DeLay's office, Justin Brown worked at the little gift shop right off the Crypt. "The first thing I heard was a big boom," he says. "I looked to my right. I saw

## CARNAGE IN THE CAPITOL

**1** Russell Weston allegedly enters the U.S. Capitol by the Document Door on the east side of the building

**2** He tries to bypass the metal detector and is confronted by Capitol police officer Jacob Chestnut. Weston shoots Chestnut with a Smith & Wesson .38

**3** Weston runs down the hall, exchanging gunfire with another officer stationed by the entrance. Weston is believed to have been shot at least once by the officer. It appears that in this exchange a tourist, Angela Dickerson, is wounded

**4** The suspect rounds a corner and goes through a private door leading to the offices of House majority whip Tom DeLay

**5** Weston encounters Capitol police officer John Gibson, and shots are fired. Both fall to the floor. Within seconds other officers arrive and seize the suspect

THE CAPITOL

SENATE

HOUSE

REPRESENTATIVE  
TOM DELAY'S  
OFFICESMETAL  
DETECTOR

DOCUMENT DOOR

TIME Graphic by Ed Gabel

a guy with a gun. The first thing I thought was "Duck!" Brown says more shots were fired in a matter of seconds. "It was like a running gunfight." He saw the flash of a gun, then saw Chestnut on the ground bleeding heavily. "Officer down!" someone shouted. Angela Dickerson, a 24-year-old tourist from Virginia, was wounded in the face and shoulder. One man threw his wife to the ground and lay on top of her. Families were separated in the melee as they raced to find someplace to hide. Jered Addotta from Rockford, Ill., 14, was in the Crypt when the firing began. "We saw people fall like a wave when they heard the gunfire," he says. He panicked. "I tried to go beneath a table; no room. Then I saw my dad running, so I followed him, but I lost him."

Ronald Beamish, 69, visiting from England, went over to Chestnut and felt for a pulse; it was failing. "You'll be all right," he said. "You'll be all right." Over on the Senate side of the Capitol, Senator Bill Frist of Tennessee, a heart surgeon in his former life, got word of the shootings and raced across to the scene as medics poured in from the ambulances outside. He worked to resuscitate first one victim, then another. "I was really just focused on keeping their hearts and lungs moving," he said. Gibson was hustled out to a helicopter and whisked away to Washington Hospital Center; DeLay gathered his staff to pray for the officer. Frist meanwhile stayed with Weston, unaware that he was the shooter, helping to keep him ventilated as they rode in the ambulance to D.C. General Hospital.

When one of Boehner's staff members opened the office door to peer outside, Capitol policemen were stationed in the hall. "The policeman told us to lock the door and stay inside," he says. Other officers gathered up tourists and shoved them into whatever offices they could, telling them to stay put as they tried to restore order and determine whether Weston was acting alone. The building was sealed, and officers began a room-to-room search, blocking stairways and elevators. When they had determined that this was not a coup, not a conspiracy, but rather another loner with a gun, they finally let people

HISTORY:  
GUNS AND  
CONGRESS

The openness of the Capitol sometimes invited violence from visitors—and insiders

## Nov. 1983

■ A bomb goes off near the Senate chamber. The Armed Resistance Unit says the act is in retaliation for U.S. military action in Grenada and Lebanon

## March 1971

■ A men's room on the Senate side is damaged by a bomb. The radical Weather Underground, protesting a U.S.-supported invasion of Laos, claims responsibility



## March 1954

■ Puerto Rican nationalists open fire from the House gallery, injuring five Congressmen (at left on the Capitol steps in 1955, after recovering from their wounds)

## July 1947

■ As he enters the Senate subway, Senator John W. Bricker is shot at twice by William Kaiser, ex-Capitol cop disgruntled over bank closures; Kaiser misses



**RAPID BACKUP** At the sound of gunfire, other Capitol police raced to the scene

leave, filing back out into the sunshine, past the ambulances and fire trucks and microphones, while the FBI, Secret Service, ATF and D.C. police arrived to join in the search for evidence and answers.

WE KNOW A LOT MORE NOW THAN WE USED TO about angry boys who kill cats for sport; "Rusty" Weston made it to age 41 before he started killing people too. He divided his time between his parents' home in Valmeyer, Ill., and a shack on a half-acre plot in Rimini, Mont., a dirt-road hamlet in the shadow of Red Mountain named by isolated Irish miners smitten by a touring performance of Tchaikovsky. He panned for gold with little luck, tinkered with junked cars and lived on government disability payments that were based on a history of mental illness. Neighbors knew enough to keep a polite distance; he used to tell them he was John F. Kennedy's illegitimate son.

In the '80s, before moving to Rimini, he lived in neighboring Jefferson County, where he at first stayed in a broken-down cabin in exchange for caring for the owner's many dogs. He made a habit of harassing the local sheriff and his deputy, complaining they were incompetent. In 1983, according to undersheriff Tim Campbell, Weston began saying that Campbell and his brother were covering up an abduction of a four-

year-old girl. Campbell does not have a brother. Weston was probably retaliating for being questioned in the case. He was then living about 2½ miles from where the girl disappeared. She was never found, but he was ruled out as a suspect. His anger at local officials moved up the hierarchy. In 1991, says Sheriff Tom Dawson, Weston, who had by then moved to Helena, Mont., wrote two angry letters to the Governor ("I am writing this letter to represent my hate for you").

Growing up in Valmeyer, Rusty Weston was almost unnoticeable. A former schoolmate describes him as a "basic farm guy." In the Valmeyer high school yearbook, Weston posed with other members of Future Farmers of America. Looking over the yearbook, his principal, H.R. Baum, said, "There would be a half-dozen others I'd suspect of this before him."

Weston had been with his parents in Illinois for about a month when he got into a fight with his father, Russell Sr., 66, last Thursday. Apparently he had shot more than a dozen family cats with his .20-gauge, single-barrel shotgun, the Miami *Herald* reported. "I made him get out," Russell Sr. told the *Herald* just hours after the Capitol shooting. "I got mad, told him, 'You gonna have to leave.'" By Friday, Russell Jr. was gone, as was his father's Smith & Wesson .38 Special, which he kept beside his bed under

a heating pad. A law-enforcement source told CNN that Rusty may have driven his red pickup directly from Illinois to Washington. The same source said that investigators found writings in the truck in which Weston referred to himself as a "brigadier general" and made allusions to space science-fiction TV shows. Asked by the *Herald* whether Weston bore some special grudge against the government, his father said, "No more than anybody else, I guess."

In fact, Weston seems to have aspired to join it. He had visited Washington in recent years, stopping in at the CIA to see if there might be any openings. On the other hand, he wrote to complain that government officials had planted land mines on his Montana property; he received a letter back saying he was mistaken. "He was an odd fellow," says Rimini's unofficial mayor, K.D. Moore. "He was convinced that the government was watching everything he did, and you couldn't convince him otherwise." Weston worried about Moore's large satellite-dish TV antenna, swearing that it was a government listening device pointed at his house. "I never saw him with a gun," Moore says. "I knew he was off his rocker, but I never suspected that he was violent."

The Secret Service did, though. Weston was already known to local police because of his minor record on drug charges, but in 1996 his antigovernment ramblings—some of which focused on a conspiracy against him directed by the President of the U.S.—became menacing. At one moment he would say he was working for the President on a secret spy mission; the next he would say that the President was having him followed and had ordered him killed. It was strange enough that local officials tipped the Secret Service.

Such calls are routine for the Secret Service, whose duty it is to investigate potential threats to the President or any other of their so-called "protectees," including the Vice President, the First Family, some Cabinet members, and former Presidents and First Ladies (see box, following page). The Service dispatched agents twice to interview Weston. At some point, Weston

PHOTO BY AP/WIDEWORLD

### Dec. 1932

■ Marlin Kemmerer, a store clerk, brandishes a gun in the House gallery, demanding the floor. He is persuaded to drop the gun without opening fire

### July 1915

■ Former Harvard professor Erich Meunter, upset over U.S. arms sales to Allies during WW I, is arrested after an explosive device damages the Senate reception room

### Feb. 1890

■ The *Louisville Times'* Charles Kincaid fatally shoots ex-Rep. William Taulbee of Kentucky, exposed in a sex scandal the paper had reported; Taulbee had threatened the journalist

### April 1850

■ Mississippi Senator Henry Foote draws a pistol on Missouri Senator Thomas H. Benton in the middle of a heated debate; other Senators restrain them



### Jan. 1835

■ Richard Lawrence fires two pistols at President Andrew Jackson, left, during a funeral service. The President is not hurt. Lawrence is later found to be insane



BY VANDERBILT ARCHIVE/STANLEY BRONSTEIN



**WANDERER** In 1991 Weston was arrested on drug charges, later dropped; he lived in a Montana cabin, left, and in Illinois

mentioned Chelsea Clinton. Both times the Service referred Weston to a local medical facility for psychological evaluation. Both times Weston was deemed delusional but not an immediate threat to any of the Service's protectees. The agents kept a file, but he never made it onto their watch list of dangerous suspects. Meantime, shortly after the verbal threats against the President in October 1996, Weston was committed to the Montana State Hospital for two months. Upon release, he was to be given access to treatment at a mental-health center in Waterloo, Ill.

NOT SO LONG AGO, ANYONE AT ALL COULD walk up to the Capitol, open a door and wander pretty much at will. Visitors have long needed a pass to enter the House or Senate chamber, but it was only after 1983, when a bomb went off on the Senate side, that certain corridors to the lead-

ership offices were cordoned off, magnetometers set up at the entrances, building passes required for employees and reporters, anti-terrorist planters installed in the parking lots, streets near the Russell Office Building closed off and sweeps by bomb-sniffing dogs ordered. There have been proposals every so often to tighten security at such an obvious target; for instance, to close the Capitol plaza to the public and install a wrought-iron fence around the building's 130-acre grounds, like the one that encircles the White House. But such measures have always been voted down in favor of maintaining the informality of access.

"Some of our technology goes back to 1971," said Capitol Police spokesman Sergeant Dan Nichols after an in-depth security study in 1996. "Maintenance is a problem. Finding parts is a problem. It was considered to be an emergency." A

supplemental appropriations bill, pass earlier this year, included \$20 million to improve Capitol perimeter security. It is unlikely any of that would have ensured that Weston would be blocked. The hours after the shooting, lawmakers were united in their determination not to shut down access in response to the incident. Late that night Nichols announced that the Capitol would be open for tourists and business as usual the following morning. "We don't want to dissuade anyone from coming to the nation's capital, to experience this great building or to have access to their government."

By 6 p.m. Friday, the flag flying over the Capitol was lowered to half-staff. House Speaker Newt Gingrich and Florida Sen. Connie Mack visited Gibson's family at the hospital and stopped at the Chestnuts' home to see the officer's wife and children. Gingrich told them their father was a hero. The tragedy did not distract some politicians from the opportunities at hand: by 6:30, six members for New Jersey Senator Bob Torricelli were distributing a press release reporters calling for tighter gun control. Weston, after emergency surgery during the night, lapsed into a coma and was placed on a ventilator. On Saturday morning doctors gave him a fifty-fifty chance of surviving, was charged with the murder of two federal police officers, a death-penalty crime. The police and FBI agents blocked access to Weston home in Valmeyer, and the phone was disconnected.

—**Reporter James Carney, Chandrani Ghosh and J.F. McAllister/Washington, Julie Grace/Valmeyer, Pat Dawson/Rimini**

## How to Make the Secret Service's "Unwanted" List

IT'S NOT HARD TO GET THE ATTENTION OF THE SECRET Service. Write threatening letters to the White House. Or do as Russell Weston did—keep telling people you want to harm the President until someone calls the police. If all goes by the book, the Service is alerted, agents are dispatched, and the maker of the threats is interrogated and evaluated.

But the Service can do only so much. Unless someone is deemed a placed and immediate danger, he or she isn't placed under surveillance. Instead the agency compiles a file on the individual, entering the name into a computer. And unless more threats are made—or the person shows up for a White House tour—no more action is taken. The vast majority of the Russell Westons who come across the Secret Service radar screen every year—and there are dozens—are never more than names in a database reserved mostly for cranks and crazies.

Weston is not the first person involved in a murderous incident who had earlier found his way into the Service's files.

Samuel Byck first caught agents' attention after making a threat against President Nixon's life in 1972. In 1974 Byck killed a policeman, an airline pilot, then himself in a failed effort to hijack a DC-9 that he planned to crash into the White House. In 1975 agents evaluated Sarah Jane Moore and decided she was not dangerous. Then she fired a gun at President Ford. "Washington is kind of a mecca for nuts," says a federal law-enforcement officer. "Disturbed people go there because they think that's where their problems are emanating from."

Weston fits another profile the Secret Service is used to encountering. Potential assassins, especially delusional ones, often change targets, making it difficult to predict who is in danger. Only after Arthur Bremmer shot and seriously wounded presidential candidate George Wallace in 1972 did the Service learn—from Bremmer's diary—that the would-be assassin had stalked Nixon before turning to the less protected Wallace. So it was with Weston. He made threats against a President, but he took his gun to Capitol Hill. —**By James Carney/Washington**



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N A T I O N

# BREAKING THE SILENCE



Now that Clinton has been subpoenaed, will his lawyer David Kendall let him tell the story, and if so, what will that story be?

By **KAREN TUMULTY** WASHINGTON

**F**OR BILL CLINTON TO LOOK THIS good in the polls after six months of sex scandal is a measure of his survival skills, dumb luck and, above all, the wall of silence erected by his personal lawyer, David Kendall. It took a reserved Quaker who views the law in life-and-death terms to muzzle a politician used to talking his way out of trouble.

The President will find out just how good Kendall is in the next few weeks as independent counsel Kenneth Starr presses Clinton harder than ever to testify. Starr has invited the President's cooperation at least half a dozen times in recent months, and now the courtship between the two men has taken a more coercive turn: last week he

took the unprecedented step of serving a sitting President with a subpoena in a criminal matter in which the President himself is in jeopardy. The White House said virtually nothing about the showdown except to acknowledge for the first time that Kendall had stepped up the delicate process of ensuring "the grand jury gets the information it needs." In other words, Clinton must soon decide whether to change course and capitulate to Starr's demands or stare him down in a constitutional battle that could be a short route to impeachment proceedings.

The White House announcement last Friday lends itself to many interpretations, each carrying its own degree of cynicism: Was it a good-faith effort by Clinton to cut through the thicket of circumstantial evidence, Secret Service recollections and secondhand testimony by offering a first-

hand account? Or was it a feint to give the appearance of cooperation and compliance that will ensure that Starr gets the blame when the President ultimately refuses to talk?

As long as Kendall is in charge, it may be a while before anyone knows the answer. Kendall operates so far below the radar that when the President's lawyer dealt Starr his most significant setback, it took nearly a month before word got out of the judge's chambers. Even Clinton's own strategists had no inkling that something serious had happened until last Tuesday morning, when White House counsel Charles Ruff warned them that the reporters covering the comings and goings of grand-jury witnesses were likely to notice some extra activity that day on the fifth floor of the federal courthouse.





## MEDIA SHY

**David Kendall, the President's personal attorney and old friend, operates with a low profile but is a formidable negotiator**

What happened a few hours later was the legal all-star game of the Lewinsky scandal. Kendall, Starr and Lewinsky's lawyers gathered for the first time in one room for a hearing so private the court clerk would not confirm it happened. The issue at hand was Starr's appeal of a sealed order last month by the lower-court judge Norma Holloway Johnson, who not only admonished Starr for his team's alleged leaks but also ordered him to turn over records of its contacts with the media. The President's lawyer, who had lodged the almost forgotten complaint about leaks last February, had obviously hit pay dirt with Johnson. His motion had all his legal trademarks: it was litigated in secret, was designed to keep Starr quiet, and is a subject about which Kendall will say nothing. Sources tell TIME the appeals court put the matter on hold

following the closed-door session, but the episode had clearly escalated the hostilities between Starr and Kendall.

Kendall has proved a striking antagonist to Starr. He is a Quaker to Starr's more evangelical brand of Christian; a liberal to Starr's Federalist Society conservative; a man who does his pro bono work for the NAACP Legal Defense and Educational Fund, while Starr moonlighted as counsel for a conservative Wisconsin foundation's fight for school choice. Their interplay became all the more intriguing last week when the heretofore academic question of whether the President can be subpoenaed became a very, very real

one. Although the move put both sides into uncharted legal territory, it seems fairly certain that a sitting President—unlike White-water defendant Susan McDougal or any other ordinary citizen—cannot be sent to jail for contempt. One response Clinton can make to the subpoena is to move to quash it. Failing that, if he refuses to testify, the question of whether he must comply immediately goes to Congress. It is Congress that would then decide whether to hold hearings to determine if his defiance merits impeachment proceedings. Those hearings would inevitably give Starr an opportunity to make a broader case of widespread corruption at the White House. And while airing his case in a political setting might seem to play to Clinton's strength, last week the President's political strategists told his lawyers bluntly that Clinton will jeopardize his support

PHOTO BY AP/WIDEWORLD

among House Democrats if he refuses to testify.

Kendall's preferred option will always be silence. It was Kendall who moved most forcefully in the 45 hours after the scandal broke to shut down Clinton's own plan to explain himself and go public with, as the President put it, more rather than less; sooner rather than later.

Even as the White House spin operation was weighing options on how and when Clinton would tell his story—whether it was to be in an interview or a news conference, on television or in print—"the lawyers went through chapter and verse with [Clinton] and decided it was in his best interest not to say anything," White House press secretary Mike McCurry recalled last week.

No other decision is likely to have such a profound impact on how history will view the second half of the Clinton presidency. In purely legal terms, the strategy was arguably a sound one, the surest way to ensure Clinton's survival against what his defenders view as a perjury trap on Starr's part. But for the sake of his presidency, many in and out of the White House still believe Clinton should have drawn upon his skills as the most powerful communicator of his generation to put forward an explanation, take his chances with the consequences and try to get the scandal behind him. McCurry still wishes that Clinton had



### THE THREAT

Lewinsky is the only person besides Clinton and Kendall who knows what happened

### SILENT FOR NOW

The Clintons and Buddy while to Camp David while his lawyer talks with Starr



come clean, although he admits the question is a close one. "Most people think we've probably done the right thing," he says. "But we've now spent day and night for six months engulfed in this mess."

No one can know for sure, however, without knowing Clinton's entire story, and Kendall may be the only person other than the President himself who does. Says a former White House strategist: "If the facts are bad, it's absolutely the right strategy." What appears certain by all accounts is that Kendall enjoys the unwavering confidence of his clients, particularly the First Lady, who first got to know the 54-year-old lawyer as a fellow Yale law student, and who shares his near obsession with secrecy. "He's an extraordinary human being," Hillary Clinton told TIME. "He is extreme-

ly intelligent, but he's also just a decent, grounded person from head to toe, and he always impressed me—from the time that I met him until today—as someone that could count on and trust implicitly."

It was not their old law-school ties but a budding controversy over a land deal in Arkansas that brought Kendall to the Clintons' defense five years ago. And typically, he was on the case for months before his representation of the world's most famous client became public. As the Whitewater scandal grew, so did the questions about Kendall. Could a media-shy lawyer known mainly for his work in the genteel arena of First Amendment law (his eclectic client list also includes the *National Enquirer* and Mohammed al Fayed, whose son Dodi died in the car crash that killed the

## PRESIDENTS WHO TESTIFY

Clinton wouldn't be the first, but the

**D**OES INDEPENDENT COUNSEL KENNETH STARR HAVE THE POWER to subpoena President Clinton to appear before a grand jury? Now that he has tried, lawyers will be debating legal precedents dating back to the early days of the Republic. It's true, as the Supreme Court said last year in *Clinton v. Jones*, that Presidents have been responding to court orders often enough that "such interactions can scarcely be thought a novelty." But until now no sitting President has been subpoenaed in a criminal investigation of which he was the focus. They've always given evidence against others. Clinton supporters say the Constitution permits criminal charges to be brought against Presidents by Congress only through the impeachment process. If a court cannot try a President, they argue, it cannot make him answer a subpoena either. If Clinton responds to Starr's subpoena by refusing to appear, he may provide the legal case that settles the question once and for all.



### 1807 THOMAS JEFFERSON

Jefferson agreed to provide information to the court presiding over the treason trial of former Vice President Aaron Burr

Princess of Wales) handle a case that pitted him not only against an extraordinarily aggressive independent counsel but also two intensely partisan congressional committees? Within the White House, there were monumental battles over how much to disclose, with Kendall almost always arguing for nothing. Some still fault him for allowing what they insist is a groundless investigation into an ill-starred real estate venture to spawn controversies over mysteriously reappearing billing records, arcane battles with Congress over White House lawyers' notes, and the first-ever testimony of a First Lady before a grand jury.

Whatever questions remain about Kendall's political instincts, no one doubts any longer his stomach for battle. Says Kendall's good friend and law partner Bob Barnett, who preceded Kendall as the Clintons' attorney and is again representing the First Couple as they ponder their options after the presidency: "He knows how to fight trench warfare, and he's good at it." There is little that intimidates about this slightly built Rhodes scholar, who has an altar boy's face, a 30-year marriage and a taste that runs to highbrow books, lowbrow movies and stylish suits (at least by the standards of Washington, where a double-breasted jacket is still considered fashion forward). But on the wall of his office hangs a receipt for \$35.50 that got him out of a Mississippi jail after three days on charges of operating his VW Beetle without an inspection sticker—one of at least a dozen times he was arrested while registering blacks to vote in the summer of 1964. At one time a third-generation conscien-

tious objector, he surrendered that status to go 1-A and joined the ROTC in 1967, only to end up serving in a desk job close to home, at Fort Benjamin Harrison in Indiana.

**K**ENDALL ALSO BRINGS TO CLINTON'S defense a criminal-law background that includes the only type of cases whose consequences can make impeachment seem trivial: death-penalty appeals. He made that his specialty during the 1970s as an N.A.A.C.P. lawyer. To build a relationship with his condemned clients, he would play chess with them by postcard, with as many as nine miniature boards of partly played games cluttering his cramped office at any given time. And Kendall once had to be restrained from throwing a punch at a burly warden who refused to allow his doomed client John Spenklink to see a clergyman.

In 1978 Kendall found his way into the heart of the Washington establishment when he moved to the city's most storied criminal-law firm, Williams & Connolly, founded by the quintessential insider, Edward Bennett Williams. The firm and its connections into virtually every corner of Washington's criminal bar account for much of the leverage Kendall holds; many of the figures in Starr's case hired lawyers recommended by Kendall, Barnett and others at their firm, and Kendall has long-standing ties to Lewinsky's lawyers as well. As one witness after another parades before the grand jury, it is perfectly legal for everyone in this network to share what has been said in the secret proceedings and what they

have been able to discern of Starr's strategy.

From what he has learned so far, it must give Kendall pause to realize that if Clinton testifies willingly or under court order, the President may not have much room to maneuver. Starr will want to explore every detail, pressing Clinton far harder than Paula Jones' attorneys did last January about the details of his alleged relationship with Lewinsky. If they didn't have sex, as Clinton insisted last January, what did they do exactly? And Clinton has never been asked in detail about the steps taken by Vernon Jordan and secretary Betty Currie to find a job for Lewinsky after she was subpoenaed in the Paula Jones case last December.

Kendall will almost certainly try in his negotiations with Starr to circumscribe the questions: he might insist, for example, on an arrangement under which Clinton would be required to answer questions about only the period in which Lewinsky worked at the White House, thereby avoiding any discussion of the period in which a cover-up might have occurred. But it is difficult to imagine how Starr, who has subpoenaed Lewinsky's bookstore receipts, would accept such limits. And it is hard to imagine that Kendall would agree to allow Clinton to testify without them.

If Clinton is flirting with the idea of breaking his silence, Kendall can be counted on to stay wedded to his. For this article, he refused to be interviewed, except to confirm basic biographical data. Asked for anything further, Kendall offered the answer he has practiced so often it has become a reflex: "I don't have any comment at all."

—With reporting by Michael Duffy and Michael Weisskopf/Washington

thers weren't called in criminal cases in which they might be a target



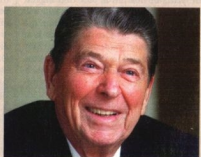
**1975 GERALD FORD**

Ford testified by videotaped deposition in Lynette ("Squeaky") Fromme's trial for attempting to assassinate him



**1980 JIMMY CARTER**

Carter provided videotaped testimony in connection with the bribery trial of fugitive financier Robert Vesco

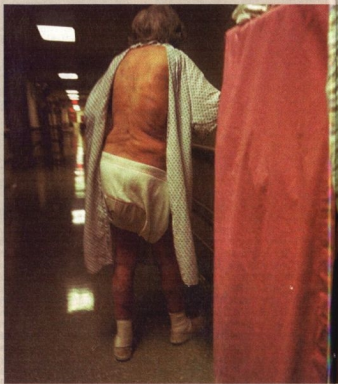


**1990 RONALD REAGAN**

Reagan, his presidency over, gave videotaped testimony in the Iran-contra trial of his former National Security Adviser John Poindexter

# SHINING A LIGHT ON ABUSE

Following a TIME story, Congress reports that many nursing-home residents are beaten and starved. Who's to blame?



By MARK THOMPSON WASHINGTON

**T**HE GUILT CHILDREN FEEL ABOUT putting a parent in a nursing home can sometimes lead them to blame others for the death of their loved one. But what Leslie Oliva saw as her mother moved through three California nursing homes during the last three years of her life is part of a bigger, shocking tale the Federal Government will tell this week. The account is based on the most detailed look in more than a decade at some of the nation's nursing homes. "My mother experienced beating, malnutrition, dehydration and neglect," Oliva says quietly. "All three of the nursing homes are responsible for her death."

In a written statement provided to the Senate Special Committee on Aging, Oliva says her mother Marie Espinoza, who was suffering from a degenerative brain disease, had bruises, bedsores and a broken pelvis within months after her 1995 arrival at the Orangefree Convalescent Hospital. Food was often left at the foot of her bed,

out of her reach. She began to lose weight. "She always seemed to be starving or begging for water," says Oliva in her official account. At Extended Care Hospital, Espinoza suffered severe dehydration and bedsores. Last January she entered Palm Terrace Convalescent Center. The nursing home said she died after choking on food, but Oliva plans to tell the committee that this makes no sense: Espinoza was supposed to be fed through a tube. All three nursing homes deny any wrongdoing.

Oliva's tale will put a human face on a damning study by the General Accounting Office that will be the subject of hearings by the Committee on Aging this week. The panel has summoned two insiders—a former California nursing-home nurse and a current nursing-home inspector for the state—to offer firsthand accounts of the horrors. The women—called "Clara B." and "Florence N." by the committee—will speak from behind a screen to shield them from retaliation by the powerful nursing-home industry and the agency that provides care to California's elderly.

"If they didn't eat fast enough, the food got taken from them," the former nursing-home employee told TIME. She says she would falsify records to show that the residents had eaten everything on their plate. Things would improve for a while when state inspectors showed up for their predictably timed annual visit. "The attitude was to put a Band-Aid on it until the state left, and then it'd go right back to the way it was," she says. The inspector, who has been visiting California nursing homes for years, told TIME her complaints are regularly ignored because of the "cronyism" that exists between the state overseers and nursing-home operators. "Once we write down violations, the nursing homes complain and our superiors keep us from going back or else they dismiss our citations," she says. This has led to "hopelessness" among inspectors like herself, she says.

And, according to the GAO, it has contributed to a litany of abuses. One resident lost a third of his body weight over seven weeks. During this time, the nursing home failed to weigh him, give him prescribed

“My mother experienced beating, malnutrition, dehydration”



## A LIVING HELL HIGHLIGHTS FROM THE GAO REPORT

■ **DEADLY CARE**  
Detailed medical reviews of 62 California deaths in which negligence was suspected turned up evidence that 34 of those deaths—55%—were probably caused by poor care.

■ **POOR GRADES**  
Only 30 of California's 1,370 nursing homes passed state inspections in the past three years with minimal or no problems; 407 were cited for care that "caused death or serious harm."

■ **BAD OVERSIGHT**  
Nursing homes temporarily beef up staff and often falsify records to fool inspectors, and "can mask significant care problems from the view of federal and state regulators."

painkillers or alert his doctor to his worsening condition. Another resident had a bed-sore, and the doctor ordered the bandage to be changed twice a day; it was unchanged for nearly two weeks. A third nursing-home resident was brought to a hospital, where the patient was found to have had a broken leg for at least three weeks and the nursing-home records were missing. A woman whose four bedsores were exposed to the bone and required daily cleaning was rarely given the prescribed pain medicine before the procedure.

The GAO report, following up on a story that appeared in TIME last fall, says more than half the suspicious deaths studied in California nursing homes were probably due to neglect, including malnutrition and dehydration. The study says that nearly 1 in 3 California nursing homes has been cited by state inspectors for "serious or potentially life-threatening care problems" and that the same problems probably exist across the nation. These are likely to grow as the baby boomers become grandparents and the

rocketing elderly population puts even greater pressure on the nation's nursing homes. Senator Charles Grassley, the Iowa Republican who chairs the Committee on Aging, argues that much of the blame for the flawed nursing-home system can be pinned on the Federal Government, which has the economic leverage to insist on improvements. Last year the Federal Government spent \$28 billion on nursing-home care through Medicare and Medicaid. "It's been too permissive and too forgiving in its enforcement," Grassley told TIME.

In the face of such stinging criticism, President Clinton announced last week that his Administration is cracking down on abuses in the 17,000 nursing homes across the nation that house 1.6 million of the old and disabled. "We are failing our parents, and we must do more," Clinton said. The President said repeat nursing-home violators need to be fined quickly and stopped from avoiding payment by pledging to fix the problem. He urged states to stop conducting nursing-home inspections during business hours at precise one-year intervals "so there is no time to hide neglect and abuse." And he wants more nursing-home workers trained to give residents food and water.

The nursing-home industry reacted coolly to Clinton's punitive tone, saying a "collaborative effort" is needed to solve the problems. "Enforcement activity alone is not the answer," said Paul Willging, executive vice president of the American Health Care Association. "In fact, a single-minded emphasis on enforcement will ultimately hurt quality." But the GAO report argues that many nursing homes have become dangerous places largely because they are understaffed—and underregulated. Nursing homes spend 2 out of every 3 dollars on payroll, so the most tempting way for them to increase profits is to cut personnel. And the Federal Government isn't halting this practice, says the GAO. The "forgiving enforcement stance" of the Health Care Financing Administration "helps explain how some homes can repeatedly harm residents without facing sanctions."

TIME reported last fall on a study by Palo Alto, Calif., attorney Von Packard and investigators Robert Bauman and Dina Rasor of the death certificates of all Californians who died in nursing homes from 1986

through 1993. In more than 7% of the cases, lack of food or water, untreated bedsores or infections were listed as a cause of death. This probe led Grassley to order the GAO to California to investigate. The GAO's medical review of 62 residents who died in trouble-prone California nursing homes showed that 34 of them received poor care that probably contributed to their demise. Applying the GAO's percentage of negligent California deaths to the nation's nursing-home population suggests that close to 20,000 U.S. nursing-home residents are dying prematurely or in unnecessary pain, or both.

"Everyone knows that profits and good care are not compatible" is how Pat McGinnis, executive director of California Advocates for Nursing Home Reform, explains the persistence of nursing-home abuses. But a recent spate of multimillion-dollar jury awards to nursing-home residents and their families because of poor care may force some homes to improve. A California woman won a \$95 million verdict after the jury was told how she broke her shoulder and shattered her hip (last month a judge cut the award to \$3 million), and a jury awarded \$6.3 million to the family of a Florida man who wandered from his nursing home and drowned in a pond.

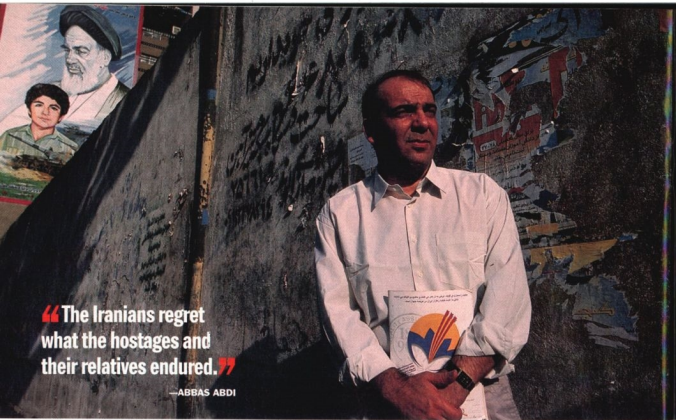
While regulators are supposed to ensure that standards are met, many of the rules are weak or unclear. The Federal Government, for example, doesn't specify how much staffing a nursing home needs. That imprecision and split responsibility can be exploited by the nursing-home industry, which in many states is a powerful lobby with lots of cash to spread among sympathetic lawmakers. Last year California levied \$2.6 million in fines, but it has collected only \$518,000 from recalcitrant nursing homes.

Evidence like the GAO report is sure to encourage even more lawyers to file suits seeking damages for alleged wrongdoing by nursing homes. And if jurors keep awarding multimillion-dollar verdicts to grieving families, nursing homes could end up embracing stiffer rules and penalties as a way to deter such claims.

ation and neglect. 77 —Leslie Oliva







“The Iranians regret what the hostages and their relatives endured.”

—ABBAS ABDI

W O R L D

# CAN IRAN BE F

A dramatic meeting between a former American hostage and one of his captors

By SCOTT MACLEOD PARIS

IT HAS BEEN ALMOST 19 YEARS, BUT THE images from Tehran are forever burned into the American psyche. The sudden assault on the U.S. embassy by Iranian students. The angry street mobs shouting “Death to America!” The parades of helpless, blindfolded hostages. Back home, outraged Americans could only imagine the horrors that the 52 prisoners faced during their 444 days of captivity.

Barry Rosen did not have to imagine. He was there. As the embassy’s press officer in 1979, he was not only taken hostage at gunpoint but also accused of leading a spy ring and subjected to a mock trial. His punishment included months in a barren prison cell, where an always burning light bulb and constant stress made

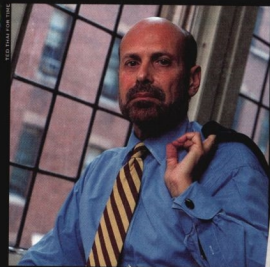
it almost impossible for him to sleep.

The American government has never forgiven Iran for what happened, so why should the hostages? But rather than carry resentment around for the rest of his life, Rosen has decided to make a remarkable gesture of reconciliation. This Friday at a conference in a U.N. building in Paris, he will come face to face with Abbas Abdi, one of the dozen student leaders who planned and directed the hostage taking. As the dramatic meeting unfolds, the former hostage and his former captor will give talks on U.S.-Iranian relations, sit down for meals together and probably even shake hands.

That powerful image of healing is sure to be criticized by hard-liners in Iran and by many Americans, perhaps including other ex-hostages. Both men are attending as private citizens and do not represent

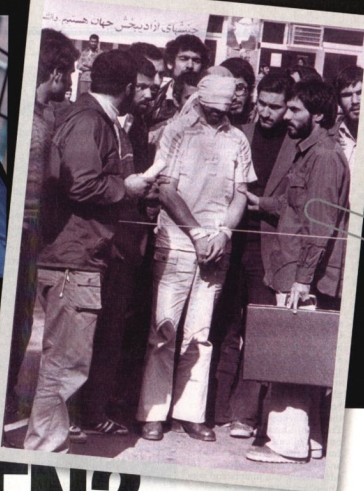
their governments or any groups. In interviews conducted by TIME with Rosen in New York City and Abdi in Tehran, they said they were encouraged to meet after Iranian President Mohammed Khatami’s call last January—quickly taken up by President Clinton—for cultural exchanges aimed at bringing down the “wall of mistrust” between their two nations.

The idea for the meeting originated with Iranian moderates who were friends of Abdi’s. They approached a Cyprus-based human-rights group called the Center for World Dialogue, which organized the conference and invited Rosen. Although the two men are still poles apart in their thinking, they welcomed the chance to put the past behind them and help their countries build fresh ties. “I am not naive about Iran, but I think it is important to understand



**“I don’t have to forgive and forget. But we are trying to restart this relationship.”**

—BARRY ROSEN



# FORGIVEN?

could be a powerful symbol of reconciliation

one another’s feelings,” says Rosen, 54, director of public affairs for Teachers College, Columbia University, in New York City. “I don’t have to forgive and forget. But we are trying to restart this relationship, and this is an important beginning.” Agrees Abdi, 42, a columnist for *Salam*, a Tehran newspaper: “The aim is to contribute to a better understanding and promote a normalization of relations.”

That is easier said than done. Plans for a London meeting were aborted when British authorities refused Abdi a visa. He has had to make his preparations in utmost secrecy lest Iran’s still powerful hard-liners detain him before his departure for France. Once a fervent supporter of Iran’s clerical regime, Abdi was arrested in 1993 and spent nearly a year in prison for criticizing the mullahs’ aversion to democracy.

Rosen has had to overcome his own concerns. Will a public reconciliation with Abdi create a backlash in Iran against the rapprochement that Rosen deeply hopes for? Or will Abdi somehow publicly embarrass him? While Abdi is ready to shake hands, Rosen is reluctant to commit himself until the moment comes. He hopes, though, that his meeting with Abdi will help “close the circle, close that 444 days.”

That would bring Rosen closer to a country he loved—and still loves, despite his hostage ordeal. He first went to Iran as a Peace Corps volunteer in 1967 before taking up graduate studies in Iranian culture at Columbia University three years later. He became U.S. embassy press attaché in Tehran in 1978, at the height of the revolution that overthrew the Shah. And he was in the embassy on Nov. 4, 1979, when bearded mili-

**NIGHTMARE IN TEHRAN:** Rosen, shown above in the early days of his captivity, was kept for months in a prison cell, accused of being a spy and subjected to a mock trial

tants poured over the compound’s walls and began the 15-month hostage crisis.

Among those militants was Abdi. In an interview at his spare Tehran office a few blocks from the old U.S. embassy—now a school for the Revolutionary Guards—the Iranian provided rare insight into the takeover and his role in it. The students’ aim was to force the U.S. government to extradite the deposed Shah. They genuinely feared, Abdi insists, that the Shah’s arrival in New York City in 1979 for medical treatment was part of a U.S. plot to restore him to power, as was done by a CIA-engineered coup d’état in 1953. Abdi denies that Ayatollah Khomeini ordered the embassy seizure or knew about it beforehand. “The way we saw it, the Imam would either approve of the action afterward or disapprove of it, in which case we would have left the embassy,” says Abdi.

At 7 a.m. on takeover day, Abdi held a secret meeting with 130 students he had summoned to a hall at Tehran Polytechnic University, where he was leader of the

Organization of Islamic Students. He described the takeover plans, gave out assignments and ID badges and told the students to head, one by one, to the embassy, where they would meet up with recruits from other universities. As hundreds thronged into the compound, Abdi's task was to seize the embassy's visa offices while others handled the main building and the ambassador's residence. According to Abdi, the restraint shown by U.S. Marine guards may have averted a bloodbath. Had they shot and killed any of the students, he says, he and other leaders planned to depart and leave the compound to be engulfed by the mob.

Abdi says he never guarded the hostages and has no recollection of meeting Rosen personally. The Iranian still justifies taking the prisoners as a defense against a potential U.S.-backed coup d'état, holds American support for a despotic ruler partly responsible for provoking the students and tends to downplay the ill treatment of the hostages. However, Abdi echoes the conciliatory words spoken by President Khatami. "No one likes hurting others," Abdi says. "The Iranians regret what the hostages and their relatives endured." He adds that he can understand why Americans felt that hostage taking was wrong.

Rosen flatly rejects the notion that the students' ends justified the means: "It is very dangerous when you cross that moral line." But he sympathizes with Iranian complaints about U.S. support of the Shah's repressive regime. "There is a moral and ethical question that Americans have to face up to," Rosen says. "The Shah served the purpose of stability in the region. But we should have been much more aware of and sensitive to what was going on inside Iran, whether it was human-rights violations or lack of political growth."

If that sort of exchange is heard this week in Paris, conference director Eric Rouleau will judge the gathering a success. "We thought this meeting could contribute to a better understanding," says Rouleau, who witnessed the hostage crisis firsthand as a correspondent for the French daily *Le Monde*. "There are people in both countries who would like to turn a page of history, a page that was very painful." Rosen and Abdi may already have begun writing the next chapter.

—With reporting

by Henry Schuster/cwv

## The Message in the Missile

**T**HE CLANDESTINE LAUNCH CAME SHORTLY AFTER 7 A.M. LAST WEDNESDAY at a hidden site in central Iran, but the secret lasted about as long as a puddle of water in the scorched Iranian desert. Although technicians had tried to camouflage preparations for the missile test, U.S. spy satellites easily picked up the bright white plume as the rocket soared to an arid region in southeast Iran. Within an hour, the CIA's operations center phoned the White House situation room. Shahab-3 (Farsi for "shooting star") had taken to the air with an 800-mile range—enough to deliver conventional bombs, or someday nuclear warheads, to Israel, Saudi Arabia, southern Russia or U.S. forces in the Middle East.

Why is Iran saber rattling now, just when President Mohammed Khatami is cultivating nervous Arab neighbors and the West with a more moderate foreign policy? And just when Washington has signaled its readiness to improve relations? Political warfare at home may be the explanation. The country's supreme leader, Ayatollah Ali Khamenei, controls the missile program, and he has been maneuvering to weaken Khatami ever since voters elected him a year ago on a promise to relax the government's strict Islamic rule.

Last week a Khamenei-controlled court sentenced Gholamhossein Karabashi, Tehran's reformist mayor and a Khatami ally, to five years in jail on corruption charges. The missile test "could be yet another example of the hard-liners' moving to undermine Khatami," says Kenneth Katzman, a Congressional Research Service expert on Iran.

Shahab-3's first flight test wasn't that impressive. The missile blew up after a flying time of 1 min. 40 sec. The CIA doesn't yet know if the explosion was an accident or if the Iranians intentionally detonated the missile after its liquid-fuel rocket finished burning. In either case, Shahab-3 is not much of a threat at present. It is based on a design supplied by North Korea, whose missiles are notoriously inaccurate, and Iran may need an additional two years before it can deploy a rocket reliable enough for military operations. In a region full of perils, Shahab-3 is only one more potential menace. U.S. warships in the Persian Gulf

can be hit by shorter-range Iranian Scud missiles. And Israel, which reacted calmly to the Iranian launch, already lies within range of Syrian, Egyptian, Saudi and Iraqi missiles.

So far, Israel's nuclear arsenal has proved enough to deter its old enemies from new aggression. But an Israeli official admits that Tehran's development of longer-range missiles "is a big deal because the Iranians are not known to follow the same logic as some of our other neighbors." President Clinton worried aloud that the Iranian missile "could change the regional-stability dynamics in the Middle East." What that means, says Ian Lesser, an analyst with the Rand Corp., is that in a future crisis, such allies as Saudi Arabia and Turkey won't be eager to join U.S.-led coalitions against Tehran if "all their population centers are open to Iranian retaliation."

The Iranian test gives conservatives in Congress a new argument for deployment of ballistic-missile defenses to protect U.S. troops in the Middle East. For the moment, though, the White House won't drop its effort to improve ties with Iran. Sending friendly signals to President Khatami is even more important now—"to get Iran to stop developing a ballistic-missile program," a senior Clinton aide insists. Perhaps, but Khatami is not the one with his finger on the launch button.

—By Douglas Waller. With reporting by Lisa Beyer/Jerusalem



### THE NEIGHBORHOOD FIREPOWER

	Range of best missile
Iran	800 mi. (1,300 km)
Iraq*	90 mi. (150 km)*
Israel	930 mi. (1,500 km)
Pakistan	930 mi. (1,500 km)
Saudi Arabia	1,500 mi. (2,400 km)
Syria	300 mi. (500 km)
Turkey	100 mi. (160 km)

\*100 miles (160 kilometers)  
Source: Center for Defense Information

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# HOW BLOCKBUSTER CHANGED THE RULES

How's this for a strategy? Give the customers the hot products they want. Sounds simple, and it's at the core of the company's sharp turnaround

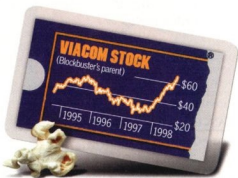
By DANIEL KADLEC

**F**OR YEARS, VISITING THE neighborhood Blockbuster to rent a movie was a bit like watching Gerald Rivera open Al Capone's vault. Great expectations gave way to dejection as you learned that any valuables inside were long gone.

No more: these days Blockbuster is stocking its shelves with three times as many copies of new releases and guaranteeing that such hits as *Good Will Hunting* will be in stock, or next time they're free. It is making other customer-friendly changes too, like lowering the price on older movies. The company is backing it all with a \$160 million advertising blitz that features a chorus of blue Blockbuster boxes driving home the point with their rendition of *I'll Be There*.

Seem like a two-fer? It is—a long-overdue fuss. About two years ago, the video-rental business began fading faster than *Godzilla*. Remarkably, the decline had little to do with new technologies like video on demand, long thought to be the industry's Death Star. The threats from technology persist. But it was management, not technology, that caused so much corporate pain and so many customer complaints. After all, how many times are you willing to go out for *Titanic* and come back with *The Poseidon Adventure*? Eventually you just stop going out. And that's exactly what happened: traffic slipped, new memberships decreased, and in April 1997, Blockbuster revealed that earnings had sagged 20%.

Blockbuster's troubles were destroying the synergistic dreams of its parent, media giant Viacom (1997 sales: \$13.2 billion), own-



er of Paramount Pictures, Nickelodeon and MTV. Viacom CEO Sumner Redstone bought Blockbuster in 1994 from billionaire Wayne Huizenga for \$8 billion, figuring that the retail stores would be a natural outlet for Viacom's films and music. But by mid-1997, with Viacom's stock stuck to the floor, Redstone had to implement drastic measures, including a \$323 million charge at Blockbuster. The charge reflected an unsuccessful attempt to expand Blockbuster's sales by emphasizing music, candy and comics and moving the company to Dallas from Fort Lauderdale, Fla., at the behest of former CEO Bill Fields.

More important, Redstone had to find someone to fix Blockbuster before it did more damage. He chose John Antioco, a retail veteran who knew the problem firsthand: Antioco could never find the films he wanted either. "The dynamic of going to a video store expecting not to get what I wanted was finally enough for me to stop making the trip," he recalls. "What other business treats you like that?" Perversely, customers got so used to the abuse that it became easy not to give them what they wanted. "Managed dissatisfaction," Antioco called it. He is

no stranger to making unhappy customers whole. Previously he cleaned up convenience-store retailer Circle K before moving on to run Taco Bell.

Little more than a year after stepping in, he has delivered a series of hit moves. Says Redstone: "He's great. Hiring John was as good a management move as I have ever made." Gone are the days when Blockbuster would send 1 in 5 shoppers home empty-handed while leaving scores of others disappointed. Worldwide rental revenues at stores open more than a year were up 13.3% in the second quarter. A year ago, they had slipped 3%. Active memberships have risen 7%, and internal customer-satisfaction surveys have rebounded to an all-time high.

Then there is the number that really catches Redstone's eye: Viacom stock has more than doubled in 12 months, to about \$66. The run has been fueled by other developments in Viacom's vast empire, including the sell-off of most of book publisher Simon & Schuster for \$4.6 billion, and a hot streak of hit movies, including *Titanic*. But it would not have been possible without the turn at Blockbuster, which contributes a third of Viacom's annual revenue.

Antioco's strategy is deceptively simple: stock more of the new releases that customers want. Before Antioco, the average Blockbuster customer had to visit a store five consecutive weekends in order to get the movie he wanted. To change that, Blockbuster had to overhaul its business model. In the past the company bought tapes from the studios for about \$65 apiece. Because each store has 10,000 tapes, the inventory got expensive, thus limiting the company's willingness to invest in too many copies of one film. Now Blockbuster has revenue-sharing deals with all but a couple of major studios. The deals dramatically lower Blockbuster's up-front costs to about \$6 a tape. In exchange, Blockbuster hands over roughly 40% of rental revenue.

The strategy could backfire by cutting



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# DIAL 'C' FOR COMEBACK

vs. '98 over same period in '97

CEO JOHN ANTIOCO

IF  
THEY  
COULD  
SEE  
ME  
NOW



RENEWED EMPHASIS ON CUSTOMER SERVICE  
GUARANTEED AVAILABILITY OF NEW RELEASES  
LOWER PRICES AND LONGER RENTAL PERIODS

# THE RIGHT STUFF



profit margins, but Blockbuster is committed. It invested \$50 million in a revenue-sharing experiment last year and was thrilled with the results. The company has moved quickly. Last quarter 80% of tapes were obtained via revenue sharing, up from 25% in the first quarter.

This strategy, though it has been around in some form for a decade, is worrying many independent video-rental dealers, who fear they lack the clout to make deals as beneficial as Blockbuster's. "We're at a disadvantage," says John Heim, owner of five video stores in Lakewood, Colo. He says he must pay 55% of revenue to a studio or a third-party broker and that the Blockbuster advantage (he competes with one two miles away) has hurt his business.

Blockbuster's recent success bears that out. The company owned barely 25% of the rental market at the start of the year; now it has a 30% share, and Antiooco expects to reach his goal of 40% well ahead of his five-year target. Shirley Poulekidas, a retiree in Chicago, will help him do it. "Anytime I've looked for a new release, it's been there—since they put that sign up," she says, pointing to a guarantee billboard.

Such comments warm Antiooco's heart. "It's all about the customer," he says, echoing his sincere, if not totally original, guiding principle. "I've been in retailing 27 years, and I've never seen a response like this. Retailing just doesn't turn this fast."

The reward for Antiooco may be to lose his job. Blockbuster's past mishaps have wounded Viacom so deeply that the video giant is all but certain to get cut loose. Last week, underscoring that point, Viacom announced a \$437 million charge to write down Blockbuster's old inventory. But the charge also clears the way for better results ahead. Redstone, who will release Viacom's second-quarter results this week, says Blockbuster's improvement should start to boost the parent company's earnings this quarter.

It is likely that Viacom will jettison Blockbuster late in 1999, probably selling it in pieces, starting with an initial public offering. Redstone is convinced that the media analysts who follow his company will never assign great enough value to Blockbuster, which should rightfully be followed by retailing analysts. Antiooco insists that he is committed to Blockbuster. And his duly impressed boss, Redstone, is quick to promise that "one way or another, we'll be together forever." Now, that's customer loyalty. —With reporting by Andrew Keith/Chicago and Alisa M. Pascual/New York

ANTIOOCO: MICHAEL O'NEILL/REUTERS

# Mr. Surround-Sound

Think Bill Gates is competitive? New Microsoft president Steve Ballmer can outbark him any day

By JANICE MALONEY

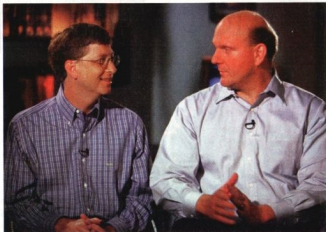
**S**TEVE BALLMER IS A FORD GUY. PERIOD. His father worked for the Ford Motor Co. in Detroit for 30 years, and if Fords were good enough for Dad, then they are just fine for Steve. Still, even a Lincoln Continental seems an unlikely car choice for a man worth \$14 billion—give or take a couple of million—but that's Ballmer. His loyalty is limitless.

It is a trait valued above all others by Microsoft chairman Bill Gates, Ballmer's boss and close friend. And Gates rewarded that unwavering loyalty last week: he appointed Ballmer, 42, formerly Microsoft's chief sales guy, as president and heir apparent.

It's not a reward for being a suck-up. Ballmer operates at a decibel level bordering on OSHA's mandatory ear-protection threshold, a one-man surround-sound. He and Gates, who became fast friends in 1973 during their freshman year at Harvard, have always enjoyed what they refer to as a "high bandwidth" relationship; it means they can scream at each other but are still able to listen and respond. "We fairly well anticipate what the other guy is thinking, and can finish each other's sentences," says Ballmer of his 25-year relationship with Gates. "That doesn't mean we always agree, but knowing how the other one is likely to respond helps us navigate most problems." Conflicts? Ballmer says they've seen them all. "Personnel changes? Major strategy changes? Loss of major customers? Reorganizations? Been there, done that."

The appointment of a warrior like Ballmer seems significant in light of Microsoft's ongoing battle with the Justice Department. The software giant, which controls some 85% of the market for computer operating systems, is facing a feder-

al antitrust lawsuit focusing on its business practices. Ballmer will have been president seven weeks when the suit goes to trial in September. Gary Reback, the lawyer whose crusade is to break up Microsoft, contends the appointment reveals the company's arrogance in the face of the investigation. "Steve Ballmer is the most aggressive of the Microsoft management



<b>BILL GATES</b>	<b>STEVE BALLMER</b>
<b>EDUCATION</b> Harvard (dropped out)	<b>EDUCATION</b> Harvard, B.S.; Stanford, postgrad
<b>EXPERTISE</b> Visionary	<b>EXPERTISE</b> Salesman
<b>JOB HISTORY</b> Founded Microsoft, 1975	<b>JOB HISTORY</b> Procter & Gamble, Microsoft
<b>WEALTH</b> \$65 billion	<b>WEALTH</b> \$14 billion
<b>WORKOUT</b> Golf	<b>WORKOUT</b> Basketball

team, and based on his appointment, I would infer that there is not going to be any change in Microsoft's aggressive stance toward the Justice Department," says Reback.

Ballmer will have plenty of other matters on his screen, however. Personal computer sales are on a downward trend, and the home and small-office/home-office markets, both hailed as the next wave in computing, are stagnant. In addition, that wild and wacky Internet, with

its open standards, could potentially pile Microsoft's apple cart, eliminating need for a Microsoft OS on every desk.

In light of these market trends, Microsoft is shifting its development foot a new breed of device that blends power of a PC with the ease of use gee-whiz factor of a consumer electro gadget. Gates, in fact, says the executive changes will allow him to spend more time with his nerdy brethren, work on "architectural breakthroughs" for devices, including TV set-top boxes, smart phones and tablet computers.

Ballmer is Microsoft's first president more than six years. In 1993 Gates dismissed Michael Hallman, abolished the position and restructured Microsoft, creating a brain trust made up of top lieutenants. Now executives including coo Bob Ibold and chief

William H. Neukom—but including Nathan Myhrvold, Microsoft's technical futurist—will report to Ballmer. This power shift undoubtedly bruised egos in the process, but Ballmer puts a positive spin on it: "It frees up [top execs] from dealing with some technical issues, and it means [top execs] have another person, me, helping them through issues."

Ballmer started at Microsoft in 1980, when Gates lured him from Stanford M.B.A. program with promise of a \$50,000 salary more than Gates was paying himself at the time—and possibility of a 10% stake in Microsoft. (Ballmer owns about 5%.) He was one of the first to get things under control at the 30-person start-up, where counting was still done paper ledger. According to legend, within three weeks of his arrival, Ballmer put Gates to near hair-pulling by telling him he had to add an additional 50 people. Gates accused Ballmer of trying to ruin his comp. Within a day, he changed his mind and gave Ballmer the green light. Since that time, they have worked out rather nicely.

Ballmer says he'd like to operate lower volume in his new job, even if speed is the same. "I can be a little headed," he says, as if that were a big deal. "I'd like to learn to be a better coach, not the bullheaded leader of the people."

# A Legal Press in Texas

A state court targets self-help publisher Nolo Press for making it too easy to bypass lawyers

**C**AN A BOOK OR A SOFTWARE PROGRAM impersonate a lawyer? You might not think so, but a panel supervised by the Texas supreme court is hauling in the most prominent U.S. publisher of self-help legal aids to determine if its products are doing just that. The possible culprit, Nolo Press, is a cheeky Berkeley, Calif., publisher whose logo depicts lawyers as briefcase-toting sharks with neckties. But Nolo's real crime may be putting the law into the hands of laypeople for \$15 to \$45 a pop.

That's what Texas steamed. A closed-door panel will hold hearings next month on whether Nolo, whose 150 titles cover topics from writing wills to applying for patents, has been practicing law without a license.

The company (projected 1998 revenues: \$9.5 million) has sold 7 million books and software packages since 1971. "Every public library in America, almost without exception, stocks our books," says co-founder Ralph Warner. So do institutions like the University of Michigan, where law-library director Margaret Leary says of Nolo publications, "We consider them the best books about law for laypeople."

Critics view the Texas action as a naked attempt to shield the state's lawyers—who charge as much as \$400 an hour for such fill-in-the-blanks legal services as drawing up standard wills or simple divorce papers—from off-the-shelf competition. "These are cookie-cutter tasks," says Steven Gillers, a New York University law professor who specializes in legal ethics. "When you realize how routinized legal work is, and how much information you can pack into an interactive CD-ROM, then you recognize how easy it is to substitute a

computer for a lawyer. That's the threat."

The growing popularity of do-it-yourself legal aid certainly seems to have caught the eyes of Texas. The court panel, which enforces a statute against the unauthorized practice of law, initially won a 1992 ban against a manual that contained forms and instructions for creating a will. More recently, the committee sued Parsons Technology, an Iowa company that markets Quicken Family Lawyer software. The case is pending. And in a letter to Nolo last year, the panel expressed concern about the company's Living Trust Maker—2.0 software,

which has sold 175,000 copies nationally. Panel chairman Mark Ticer, whose group mostly prosecutes individuals, sees the proceedings as upholding the law, not lawyers. "Ninety-nine percent of the people we deal with should be in jail," he asserts.

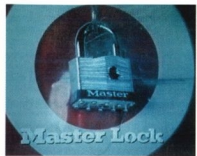
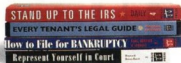
Consumer advocates are worried that if Texas prevails, suits in other states will follow. "The truth is that millions of Americans are priced out of the legal system," says attorney James Turner, executive director of HALT (Help Abolish Legal Tyranny), a consumer group that works for the reform of legal practices. "Texas is endangering the rights of its citizens to get accurate, timely information that can help them handle their own legal problems."

In Berkeley, Warner says he has few doubts about winning this battle: "I have confidence in the First Amendment." Indeed, several previous cases support him. Yet, in the ultimate irony, none of Nolo's books will be of much help to the company at the hearing: Texas law requires that it be represented by an attorney.

—By John Greenwald. Reported by Hilary Hylton/Austin and Andrea Sachs/New York



**SHARK BAIT:** Nolo's books provide basic legal information—and an alternative to lawyers



**QUICK PITCH:** Master Lock's micromessage

## Blink of an Ad

Zap this! TV advertisers try the one-second sell

**F**OR MANY PEOPLE, THE SIGHT OF A TV commercial is a prompt to either bolt to the kitchen for a quick bite or hit the remote for a quick escape. But last month Master Lock, a division of Fortune Brands based in Milwaukee, Wis., likely became the first national advertiser to run a one-second ad—snack-proof and zap-proof.

The commercial—call it a blink ad, for obvious reasons—depicts the company's signature image, a bullet shredding but not opening a lock, together with the logo. The ads are part of a campaign that also uses 30-sec. spots for Master Lock padlocks.

The length of the traditional 60-sec. TV ad has been halved a couple of times to keep up with our shortening attention spans. Now 15- and 30-sec. spots dominate, in part because they cost less. One-second ads are even cheaper to buy (Master Lock isn't saying what it paid), and cheaper to make. But can you sell anything in one second? "It's way too early to tell whether—or how—it's going to impact sales," says John Heppner, Master Lock's vice president of marketing.

"It's a great idea," says Richard Kirshenbaum, co-chairman of Kirshenbaum Bond & Partners. However, he and other admen say blink ads can't introduce products but they can certainly reinforce such icons as McDonald's Golden Arches.

Then again, no one would confuse personal-injury lawyer Jim ("the Hammer") Shapiro with the Pillsbury Doughboy. He is experimenting with several versions of his one-second spot, at \$35 each, in upstate New York. In one ad he yells "Hurt!" while the word comes hurtling at the viewer in large orange letters, above his phone number. Even at a second, the ad is as subtle as a car wreck—and, Shapiro hopes, just as likely to bring him new clients.

—By Alistair Christopher

Looking for a bit of R. and R.? Flock to a spiritual retreat. But book early. Space is limited

By TAMALA M. EDWARDS GENESEE ABBEY

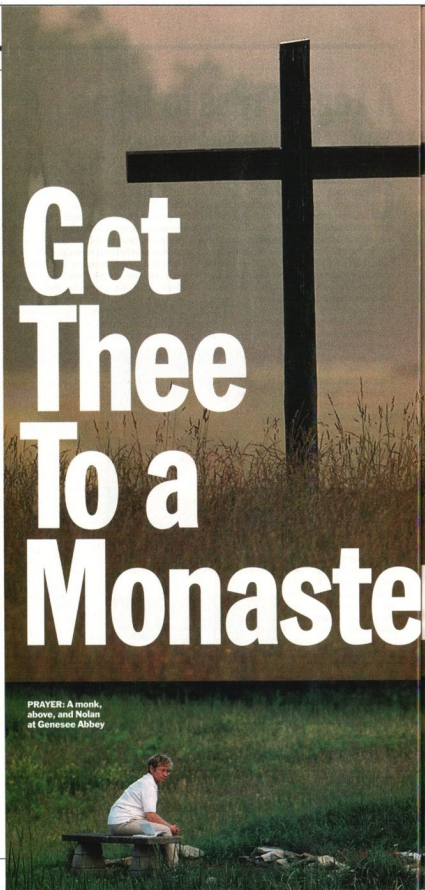
**F**OR MOST OF HER LIFE, PAM NOLAN, 45, found herself in a cold war with God. Her parents, disaffected Roman Catholics, left the church when she was 18, taking her with them. But more than a decade later, after the birth of her daughter, she made a slow creep back to religion, first as a Unitarian and then as a Methodist. But still her soul kept its distance. Then last year her church went on a retreat at the Abbey of the Genesee, a monastery in upstate New York. During a discussion, when a monk (and a recovering alcoholic), repeatedly said, "God loves you," Nolan started sobbing. In a message she later posted on the Internet, she explained that "the God I met as a child was judgmental, condemning, did horrible things to his own son." But somehow here, in the most Catholic of places, she says, the wall fell.

Nolan still doesn't attend church regularly, and she considers herself spiritual, not religious. The only ritual she has decided to keep is coming back to the abbey every June for her birthday. A three-day weekend, it is her only vacation away from her job as a computer specialist in Edinboro, Pa., and this is what she gets: a hard single bed with threadbare sheets in a sweltering, non-air-conditioned room; a warped desk and chair that would be rejected by Motel 6; and simple meals like baked beans or tuna casserole. And for the whole weekend she is supposed to be silent. But as she walks across the abbey's 2,200 acres, past the wheat fields and down by the river, or sits near a statue of the Madonna, watching white-tailed deer dance by and listening to bullfrogs, Nolan says she finds peace. "It's mine, just my time," she says. "I can sit, think and pray."

Nolan is on a path increasingly well traveled. Across the country, Catholic monasteries and convents, usually regarded as strange or the stuff of medieval myth, are besieged with would-be retreatants and booked months in advance. "Please don't mention our name," begs an abbot at a Vermont monastery where the wait for one of its 29 spaces stretches a year. "We're overwhelmed." There is even a popular guidebook, *Sanctuaries*, that helps readers choose a great monastery or convent. While organized church retreats are not new, what is startling is that much of the increase is in individual retreatants, includ-

# Get Thee To a Monastery

**PRAYER:** A monk, above, and Nolan at Genesee Abbey







ing many Protestants and even non-Christians, who say the Catholic monasteries, with their ancient chants, beautiful grounds and prices at a pittance, offer the most refreshing vacation going. Now, say the monks, if only they could keep the growing horde down to the true spiritual seekers, not just vacationers at Club God.

Why the interest in these sanctuaries, amid a pop culture in which nuns and monks are usually depicted as demanding and dry or who, in their soft incarnations, wonder, "How do you solve a problem like Maria?" Theories vary, but one reason is poet and novelist Kathleen Norris. She first hit the best-seller list in 1993 with *Dakota: A Spiritual Geography*, a meditation on the farm crisis, religion and the wind-whipped Plains state of North Dakota. That was followed in 1996 by *The Cloister Walk*, a log of the nine months that Norris, a married Protestant, spent living among the monks at St. John's Abbey in Minnesota. Readers went wild, keeping it on the best-seller list for 27 weeks.

Besppectacled and speaking in a Fargo-esque accent, Norris is an unlikely docent. Raised in the United Church of Christ in Hawaii, she became alienated from the church, turning to poetry instead of what she felt was politicized, overintellectualized sermons. She married David, also a writer, and in the early 1980s they moved from New York City to Lemmon, N.D., to take over a family farm. She then began dabbling in Presbyterian churchgoing before gradually returning to active belief. A Lutheran retreat in 1983 led her to nearby Assumption Abbey. "I had no idea what an abbey was," says Norris. "I thought it was some medieval thing." Yet the simplicity of the monks' services, which consist only of chanted Psalms and Scripture readings, captivated her poet's heart. It took her a year to work up the courage to go back, but by 1986 Norris was an oblate, an associate of a monastery who lives out in the world but follows the services and some of the ways of monastic life.

She remained firmly Presbyterian even as she took on her Catholic oblate duties, a juxtaposition she likens to "interplanetary travel." More difficult was explaining her new passion to her friends, most of whom were writers with tense relationships with their Christian pasts. "Oh, my God, did you have a lobotomy?" asked a friend astonished at Norris' new piety. Her husband David, a lapsed Catholic, was alarmed that his wife was hanging around monasteries. "I think it

frightened him at first," says Norris. "It reminded him of his childhood and when he would have to make up excuses why he did not go to Mass. But when he realized I was not becoming a Catholic and specifically was not trying to draw him into anything, then he relaxed quite a bit." David rarely attends worship but now counts a number of Benedictine monks as friends.

Norris wrote *Cloister Walk* to explain her conversion to herself and her friends. The book is a thing of simple, stunning beauty. Without preaching and in prose like poetry, she manages to demystify the rituals, wrapping them around the reader like an old chenille blanket, restoring an alluring sense of magic to issues such as (gulp!) celibacy. Says Lynn Garrett, religion editor of *Publishers Weekly*: "She writes with a poet's sensibility, but there's also a groundedness and practicality to her approach." Norris continues to explain herself onto best-seller lists, this year with *Amazing Grace: A Vocabulary of Faith*, a book of essays on such thorny concepts as faith and the Antichrist.

**"You peel off  
life's accessories  
and come in  
nakedness before  
the Lord, asking  
'What do I do with  
my life?'"**

—FATHER TOM GEDEON

The influx at the monasteries includes a small contingent of Gen Xers, but the majority are their baby-boomer parents, taking stock of the past as they swing around to look into the fog of the future. "You peel off life's accessories and come in nakedness before the Lord, asking 'What do I do with my life?'" says Father Tom Gedeon of Notre Dame's Retreat International association, explaining the appeal of retreats. But isn't this just the latest fad of the Me generation? Twig Branch, 42, a Presbyterian insurance agent based in Charlotte, N.C., who first attended the Abbey of the Genesee last November, disagrees. "First of all," he says, "unlike est, they let you go to the bathroom. This has an authenticity to it. It was not manufactured 15 weeks ago for your consumption today. Three weeks later, it was still profound." In fact, say the sanctuaries, participants want less of the progressive offerings like Jungian theory, preferring guidance in basics such as prayer.

The monasteries have demolished the stereotypical image of stern abbots and mothers superior. As has always been the case with visitors to monasteries and abbeys, there are no schedules, no expectations. No one is asked his or her religion. There are no sermons or bulletins choked with announcements and committee assignments, just the gentle rocking of the chants. Participating at services is not re-



quired, and if those on retreat spend their entire time sequestered behind closed doors or meditatively walking the often expansive acreage, the monks bless that too. "People come here and think they're supposed to sit in chapel all the time," says Brother John Thomas, a monk at Holy Cross Monastery in New York's Hudson River valley. "You're trying too hard; that's spiritual constipation. God is bigger than that." For people who remember religion as based on threats or guilt, the freedom can lead to a détente with organized religion. "They see this as a halfway house," explains Sister Madeleine Mary of New York City's Community of the Holy Spirit.

Retreats have a particular rhythm. Visitors who choose to follow the bells chiming out the call to offices, or services, start with Lauds at 2:25 in the morning and end with Compline at 7 in the evening. Many say night and day lose their meaning as they enter monkish time. "I come screaming in off the runway," says Joyce Bock, a Santa Barbara, Calif., marriage counselor. "This cools my jets." Most monasteries either ask for complete quiet or at least have silent hours. The idea is that in silence one can't hide from one's problems, or from God. "There's always someone who leaves," says Jack Pannell, a press aide to Georgia Congressman John Lewis and a five-year retreatant. Barbara Carr is a school administrator who first went to a monastery two years ago, after her husband of 20 years left her and she developed breast cancer. Retreat for her was a crucial time for praying, crying and writing. Others find piety sometimes takes a backseat to curiosity ("I look at the monks and think, 'I can't believe you're not having sex,'" says Nolan) or humor ("We started calling it the show—'You going to the 6 o'clock show?'" says Branch of the offices. "It was a little ooky-spooky").

Branch went to all the offices, saying they gave him "ballast and steerage." It's a routine he says he would follow if he went back. But not everyone begging for reservations at the Abbey of Gethsemani, Kentucky (wait: one year), or New Camaldoli Hermitage, California (wait: six months, only because they refuse to book any further), is so sincere. The problem is not an entirely new one. The earliest monasteries were founded in the 4th century in the Egyptian desert. As Christianity became legalized and then haute, the Desert Fathers and Mothers found themselves overrun by hipsters from Alexandria and Rome. Father Robert of New Camaldoli, where the spare rooms offer a heart-stopping view of the Pacific—for \$30 a night—can relate. A hard call? "Sometimes," he sighs, "the first question is about the pool or the tennis courts." —With reporting by Richard N. Ostling/New York

## "Absolutely No Evidence"

A U.S. military investigation dismisses a CNN-TIME report on the use of sarin in Indochina

**A**FTER CNN AND TIME RAN STORIES saying the U.S. military had killed American defectors and had used deadly sarin nerve gas during a commando mission in Laos in 1970, the Pentagon began combing its Vietnam archives to confirm—or refute—the report. Last Tuesday, after a six-week investigation, Defense Secretary William Cohen released a report declaring that the military could find "absolutely

said. Two Tailwind veterans and a p their commanders looked on and praised their bravery and ordered a r to ensure they receive all veterans' be and commendations due them.

Cohen declared the story "irresponsible" because it leveled such grave charges against the U.S. and its troops without "overpowering evidence" such as exp allegations require. The Pentagon found that Robert Van Buskirk, a Tailwind platoon leader and a prime suspect in the original story, never mentioned sarin or defectors in an after-briefing he gave. Retired Col. Michael Rose, the Tailwind commander, told Pentagon investigators that he had no doubt the fumes he in wore tear gas, just like the whi got in basic training. "It's like sh he said. "Once you smell it, you forget." And, the Pentagon two ex-service members the original report said had scouted enemy camp before the attack in fact never in Laos.

"Americans and foreign should understand that the U States has not and does not use nerve gas," Cohen said. Pentagon officials fear that the charge, even dismissed, will be used by Sa Hussein and others to justify the



**PENTAGON BRIEFING:** Cohen looks on as retired Major General John Singlaub discusses the report

no evidence" for either of the allegations.

The Pentagon concluded that the key goal of the once secret Operation Tailwind mission was to divert enemy attention from a CIA operation inside Laos. The Pentagon said planning for the operation never mentioned hunting down U.S. turncoats. And while Air Force warplanes dropped a "personnel-incapacitating agent" on enemy troops to help rescue the 16 Americans and more than 100 of their Montagnard allies under hostile fire, it was a potent form of tear gas that was used, not sarin gas.

"No document—military order, after-action report, briefing paper or official military history—mentions pursuit of U.S. defectors as Tailwind's mission," Cohen said at a Pentagon briefing. "While sarin was stored in Okinawa in 1970, we found no evidence that sarin nerve gas was ever sent to or used in Vietnam or Laos." The pilots who dropped the bombs, as well as those who loaded them into the planes, said the weapons contained tear gas, the Pentagon

alleged possession of what the Defense Department calls weapons of mass destruction.

The Pentagon findings came weeks after CNN and TIME, both owned by Time Warner, retracted the Tailwind and apologized to the veterans involved. That action followed an internal investigation by TIME and a report by attorney Abrams, who was hired by CNN to investigate the broadcast. The inquiries concluded that the story was not supported and should not have run. CNN recently fired producers April Oliv Jack Smith, who have publicly contradicted by their story. Senior executive dunder Pamela Hill resigned, and CNN mandated Peter Arnett, the on-air reporter, to investigate.

CNN has also agreed to pay T Moorer, a retired Chairman of the Chiefs of Staff, a settlement reportedly \$100,000. The original program announced that Moorer confirmed the use of sarin during Tailwind, which he denied. —By Mark Thompson/Was



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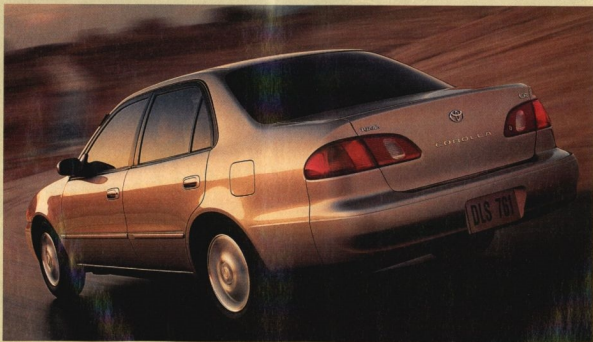
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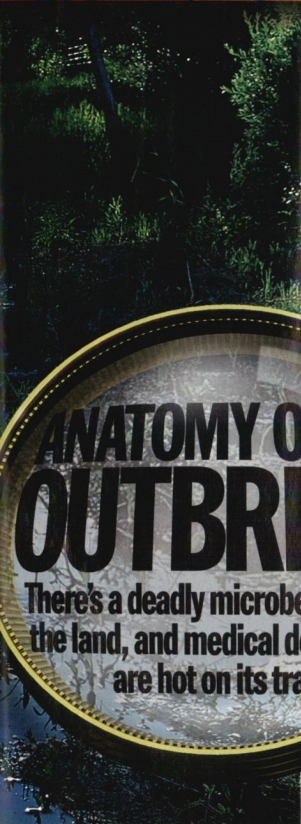
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**KILLER BACTERIA/E. COLI 0157:H7**





By **JEFFREY KLUGER**

**T**AMMY LOWERY COULDN'T SEE THE BLOOD vessels rupturing in her gut, but the way she was feeling, she didn't have to. Lowery had been sick for five days, growing steadily worse as the week wore on. First had come the stomach pains. Then the bloody diarrhea. Then the paralyzing cramps. She had laid off food for a while, figuring the problem would pass. It didn't.

Finally, as July 4 approached—when Lowery should have been at the Alpine, Wyo., gift shop where she works, preparing for the crush of campers and tourists who make the Independence Day weekend such a busy one—she noticed that her son Sean, 5, had come down with the same symptoms.

That did it. Struggling to get to the car, Lowery drove Sean to the office of Dr. Donald Kirk, a physician who serves many of Alpine's 470 year-round residents. She got there just in time; shortly after she walked into Kirk's waiting room, Lowery passed out on the floor.

On Friday of the same weekend in late June that Lowery started feeling wobbly, a young motorcyclist who lives in a nearby town was passing through Alpine. Dropping in on some friends, he gulped two glasses of water drawn straight from an Alpine tap. Before too many more days had passed, he realized that he was falling seriously ill.

**DON'T DRINK THE WATER**  
CDC sleuth Breuer tests  
a suspect spring for  
the mutant *E. coli*

# ANATOMY OF AN OUTBREAK

There's a deadly microbe loose on  
the land, and medical detectives  
are hot on its trail

PHOTOGRAPHS FOR TIME BY STEVE LISS



## KILLER BACTERIA/*E. COLI* O157:H7

Just as the motorcyclist was riding out of Alpine, members of the Scott family were driving in from all over the northwest. The Scotts had been planning a reunion in Alpine for months, and on June 26, a Friday, 43 of them showed up. They spent the weekend picnicking, playing touch football and rafting on the Snake River. Like most families planning a weekend outdoors, they brought their own food along. The Scotts didn't like Wyoming water, so they brought their own water too. But the kids filled their squirt guns from a faucet and took a few sips from the barrel ends of their water pistols, and the adults began to drink from the tap when they ran out of bottled water. If there was something seriously wrong with Alpine water, they couldn't tell by the taste.

**R**EGARDLESS OF HOW ALPINE'S water tasted, there was in fact something grievously—perhaps lethally—wrong with it. That something was a particularly dangerous strain of the *E. coli* bacterium called *E. coli* O157:H7, or O157 for short. Ordinarily a benign organism found in the intestines of human beings and animals, *E. coli* has a nasty ability to mutate and proliferate. Lately it has been proliferating with a vengeance. Five years ago, the fast-food industry was rocked when four children died and 500 other people fell ill after eating *E. coli* O157-contaminated hamburgers at Jack in the Box restaurants across the Pacific northwest. Massive as that outbreak seemed at the time, it was, for the bacterium, merely a shot across the bow.

In the half-decade since, there have been as many as 30 *E. coli* outbreaks each year in the U.S., resulting in thousands of very ill people and hundreds of lost lives. In the past seven months, new outbreaks have been reported in Indianapolis, Ind.; Milwaukee, Wis.; Washington; and Chicago. Americans have grown sick after eating ground beef, coleslaw, cheese and various fruits. Just last week California-based Odwalla Inc. pleaded guilty to violating federal food-safety laws and agreed to pay a \$1.5 million fine for selling a batch of contaminated apple juice that sickened 70 people and killed a 16-month-old girl in 1996. With the country sweating through one of the hottest summers on record, such problems are likely to grow, as more people cook outside, eating too rare hamburger, unwashed fruit and other foods that have been mishandled or badly prepared.

Making matters worse, some people are getting *E. coli* infections without eating any food at all. In Spokane, Wash., last winter, seven children in a day-care center

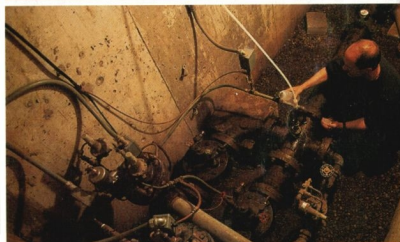
became sick; prime suspects: contaminated sand, soil and modeling clay. In June, 26 kids, including the three-year-old son of Atlanta Braves shortstop Walt Weiss, contracted the bug in a pool at a Georgia water park. Brody Weiss recovered in time to watch his dad play in the All-Star game. One of the other children in the water park that day, two-year-old McCall Akin, developed kidney complications and died last week. In all, some 20,000 people in the U.S. suffer *E. coli* infections each year, 250 of them fatally.

If there is any seawall against the spread of *E. coli*, it's the epidemiologists from the Centers for Disease Control and

Prevention and other health organizations who make it their business to monitor all serious disease outbreaks, from swine flu to salmonella to HIV. It's the job of those scientists to track the pathogen back to its source, where it can be eradicated or—at the very least—studied, and to spot weaknesses in the public health system that will help them prevent future outbreaks. The medicine these doctors practice is less academic than it is forensic, relying on both high-tech hardware and old-fashioned shoe leather. When the size of the epidemic grew beyond the money and staff available to the Wyoming experts, they called the CDC for reinforcements.



**SLEUTHING** A downed fence may have allowed animals into the Alpine springs



**INSPECTING** Traces of contamination may have been left in the pumping station



Dr. Kirk knew as soon as Tammy Lowery collapsed in his waiting room that he had a problem on his hands. A cursory examination of the Lowerys told him two disturbing things: he had never seen symptoms like these before; and, unfamiliar as he was with the symptoms, he was pretty sure *E. coli* was to blame. Kirk dispatched Tammy to the hospital in nearby Afton and then began to work the phone.

Canvassing the other doctors who serve the area, he learned that in the past few days, six people in Alpine had come down with the same symptoms. In Jackson Hole, also close by, two other Alpine residents had been hospitalized. Only mo-

ments later, Kirk learned that lab tests on the Jackson Hole patients confirmed that the victims were carrying not only *E. coli* but also the deadly—if prosaically named—O157:H7 strain. With that, Kirk made one more call, to Donn Wooden, the mayor of Alpine. “We have a real potential health problem in the community,” Wooden recalls Kirk telling him.

A problem indeed. Of all the bacteria that bloom in the body, *E. coli* is usually one of the most beneficial, helping to metabolize food in the intestine. In 1982, however, scientists discovered that *E. coli* wasn't always so benign. That year 26 people in Oregon were felled by a violent in-

fection and intestinal disorder, and when doctors analyzed the bug behind the illness, they found that it was all but indistinguishable from ordinary *E. coli*, with but a small exception: this breed of the bacterium contained a few strands of genetic reweaving that cause it to produce a powerful toxin its less potent kin can't.

When this fortified *E. coli*, which researchers dubbed the O157:H7 strain, takes hold in the body, it behaves savagely. Doctors believe the bacterial toxin first destroys blood vessels in the intestines, which accounts for the bloody diarrhea that is the signature symptom of the infection. The toxin then passes into the bloodstream, where it probably damages vessels throughout the body. This produces gummy clots that clog organs like the kidneys. Up to 5% of all people with O157 infection develop a kidney condition known as hemolytic uremic syndrome; up to 5% of all HUS cases are fatal. The clotting caused by *E. coli* can also damage the heart, the lungs and even the central nervous system.

Certainly, O157 *E. coli* is not an easy bug to pick up. It's not an airborne pathogen like a flu virus, and it can have an ill effect only if it's ingested. The vast majority of people who do come down with the infection survive if they are kept hydrated and, in some cases, hospitalized. But up to 1% do die—mostly children, the elderly and people with compromised immune systems. In all cases, antibiotics are not only useless but may actually make things worse, causing the bacteria to rupture and spill their toxin even more widely throughout the gut. Says Nancy Donley, a safe-food activist whose son died of *E. coli* infection: “We're not talking about minor gastrointestinal distress. It is a brutally ugly death.”

When Dr. Kirk got Mayor Wooden on the phone, he told him that they had a serious public health threat on their hands. Wooden didn't need to have his arm twisted. “If it's a real problem,” he said, “let's deal with it.”

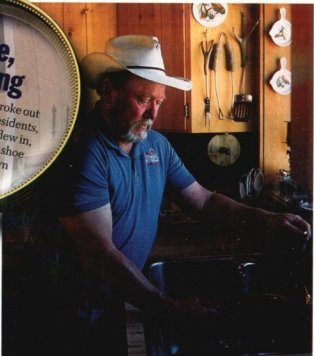
For Kirk, dealing with the problem meant first reporting the outbreak to the county infectious-disease nurses, who in turn reported to Gayle Miller, Wyoming's chief epidemiologist. Miller and her nurses knew immediately that even six cases meant an epidemic. They began canvassing the region to locate others who had been infected, and each time they found someone sick, they began interviewing that person, looking for a common source of infection. After a week they had 26 confirmed *E. coli* cases in four states, and the numbers seemed likely to grow.

A contagion this big was beyond the state's capabilities, and at 3:30 p.m. on July 9, Miller sent e-mail to CDC headquar-

PHOTO: JAMES COOK; TOP: PHOTOS COURTESY OF THE FEDERAL CENTER FOR DISEASE CONTROL AND PREVENTION; BOTTOM: REYNOLDS/ALAMY



**COMPUTING** Scientists crunch data to test their hunches



**TASTING** A wary local samples chlorine-cleansed tap water

## Alpine, Wyoming

When an epidemic broke out among Alpine's 470 residents, CDC epidemiologists flew in, using computers and shoe leather to hunt down the bug

## KILLER BACTERIA/*E. COLI* O157:H7

ters in Atlanta, asking that a group of scientists from the centers' Epidemic Intelligence Service—the SWAT team of infectious medicine—be sent to Wyoming. For epidemiologists, a billet in the EIS is a much coveted post. Researchers compete vigorously for the few available spots, and when a position is granted, the tenure lasts just two years. After that, EIS investigators are encouraged to seek work in the same field at the local level. Miller had been an EIS member, and when she called in the CDC, she knew she would get the best. "We speak the same language," she says.

Early the next morning, a three-member EIS team arrived in Alpine and set up shop in the town's city hall, an unlovely, one-room structure used for basketball games, karate classes, the occasional play and, when absolutely necessary, running the local government. The leader of the federal team was Thomas Breuer, a 37-year-old German physician in his second year as an EIS researcher. Working with him were Sonja Olsen and Malinda Kennedy.

Breuer, a veteran of four previous infectious-disease outbreaks, appreciated the enormosity of the job ahead of him. Miller's nurses had turned up no food or other contaminant all the victims had



**DIED** McCall Akin, 2, contracted *E. coli* in the same Atlanta water park as Brody Weiss, below. She developed kidney complications and died last week

shared. This left only two possibilities: "Water and air," Breuer says, "two things epidemiologists hate." A contamination of this kind was a hit-and-run affair; the bacterial colonies could stream into a community, do their damage and flow out of the ecosystem in a matter of days, before the epidemiologists could even get their equipment unpacked.

Once Breuer, Olsen and Kennedy got themselves set up, they found a community in a state of high alert. Mayor Wooden had already switched the Alpine water supply from the natural springs to a chlorinated well system and instructed townspeople

to boil water before drinking it. Residents brought the CDC researchers ice that might be needed to keep stool samples cool during the eight-hour drive from Alpine to the state laboratory in Cheyenne. The phone company provided extra telephone lines for the duration of the crisis.

Breuer, Olsen and Kennedy quickly made use of those lines, spending the next several days phoning people who had already got sick, who might be getting sick or who had remained uninfected, looking for anything they did—or didn't—have in common. The calls turned up some promising leads. One woman worked in an Alpine day-care center and routinely drank eight glasses of tap water a day and even gave some to her infant daughter. Yet both of them were healthy. That seemed to exonerate the water supply, until the woman added one final detail. When she is home on the weekends, she told Kennedy, she drinks only from her own well. It was during the last weekend in June that many victims said they began feeling sick. By avoiding town water on those days, the woman and her daughter might have dodged an infectious bullet. If the water supply was in fact contaminated, this one clue might help pinpoint just when the bug was present.

Expanding the scope of their calls, the EIS team turned up the motorcyclist who had passed through town long enough for his two-glass dose of local water on Friday, June 26. In the days since, he had developed a confirmed O157 infection. Because *E. coli* can be passed by touch from one

### Across America

There were 22 separate outbreaks last year alone. Children, seniors and the immune-compromised are usually hit hardest

### GEORGIA

In June kids playing in a pool at this Atlanta water park contracted *E. coli*, perhaps from a child with a leaky diaper. Brody Weiss, right, three-year-old son of Atlanta Brave Walt Weiss, was infected but recovered in time to watch his dad play in the All-Star game

NUMBER INFECTED

26

THE SOURCE  
LEAKY DIAPER?

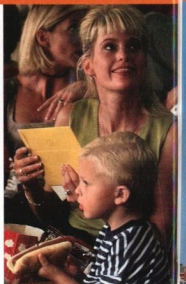
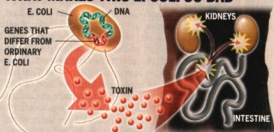


PHOTO: JEFFREY M. HARRIS/GETTY IMAGES; BRODY WEISS: JEFFREY M. HARRIS/GETTY IMAGES; ALL-STAR GAME: AP/WIDEWORLD

## WHAT MAKES THIS E. COLI SO BAD



1. Unlike ordinary *E. coli*, the strain O157:H7 has extra genes that allow it to stick to the walls of the intestine and produce the virulent Shiga toxin
2. The toxin injures cells in the intestinal wall as well as blood vessels in the intestine, leading to bleeding
3. Once in the bloodstream, the toxin damages other blood vessels, particularly those in the kidneys, leading to renal failure

TIME Diagram by Joel LeRoth

## OTHER BUGS TO WATCH FOR THIS SUMMER

Bug	Source	Symptoms
<b>Campylobacter jejuni</b>	Poultry, milk, untreated water	Chiefly diarrhea, sometimes paralysis
<b>Salmonella</b>	Eggs, poultry, meat, fresh produce	Severe dysentery. Long-term: chronic arthritis
<b>Listeria monocytogenes</b>	Cheese, deli cuisine, pâté, etc.	Fever, headache, vomiting, meningitis, stillbirths
<b>Cryptosporidium parvum</b>	Fecally contaminated water and food	Diarrhea; in AIDS patients may be chronic or lethal
<b>Vibrio</b>	Shellfish from warm-water areas	Varies from flulike symptoms to shock and death
<b>Trichinella (a worm)</b>	Undercooked or raw pork (also walrus and bear meat)	Flulike symptoms that can lead to heart and breathing problems

Source: CDC, FDA

person to another before it's unknowingly ingested, it was possible that he had picked up the bug from one of his friends in Alpine. But the water-bacteria link was too promising to ignore. Breuer also contacted LaFonda Scott, the woman who had organized the family reunion in Alpine. Scott reported that she and several of her relatives had tested positive for O157. Over the next few days, Breuer interviewed 41 of the 43 Scotts who had visited Alpine and came up with some sobering numbers. None of those who had avoided the local water were ill. Of those who had drunk even a few sips, half had become infected.

By now the Alpine outbreak had spread to 13 states—or at least it seemed to have. Thirteen states could also mean 13 separate outbreaks. Earlier this year, the CDC took a step to eliminate such uncertainty, employing an innovative network of biotech machines called PulseNet. The hardware allows scientists to scan a bacterium and come up with a sort of genetic fingerprint unique to that cell line. Studying samples of the Wyoming *E. coli* as well as bugs from the surrounding states, the EIS researchers discovered that their profiles matched perfectly. The Alpine infection, it appeared, was indeed widespread.

The EIS team had been in Wyoming for a week, and the database they had compiled was enormous. On the evening of Thursday, July 16, they gathered in the city hall to enter all the findings into their laptop computers and see what conclusions they could draw. Their early observations and calculations all pointed to Alpine's water, but they had not yet run any final statistical analyses, and they knew not to draw conclusions before all the tallies were in. Says Breuer: "I'm always worried before we look at the numbers."

The three investigators worked those numbers late into the night, bending over

### INDIANA

The trail in this fast-food outbreak led to a cabbage patch in Texas

NUMBER INFECTED **27**

THE SOURCE  
COLESLAW

### WISCONSIN

A single dairy plant shipped bad cheese to three counties

NUMBER INFECTED **54**

THE SOURCE  
CHEESE CURDS

### WASHINGTON

Sick children became carriers, bringing *E. coli* into their homes

NUMBER INFECTED **7**

THE SOURCE  
DIRTY TOYS





# KILLER BACTERIA/E. COLI O157:H7

their computers as a neon light buzzed overhead and their forgotten dinner—a pineapple-and-bacon pizza—grew rubbery and congealed. Over the course of hours, graphs and tables flashed on the screen and streamed from the printer in a growing pile. Finally, Breuer was ready to ask the computer his final questions.

From the data that had been compiled, he inquired, was there any statistical link between eating hamburgers and the current O157 infection? No, the computer answered. What about venison? No. Beef jerky? No. Any relationship between contact with cattle and the appearance of the disease? Again, no. At last, Kennedy tapped the commands asking the computer about a link between Alpine tap water and *E. coli*. The researchers leaned in as the question was processed and the numbers were tallied. After a long moment, the screen began to fill with numbers.

"Wow," someone said. "What a relief," someone else echoed.

A person who drank Alpine tap water, the computer reported, was eight times as likely to become infected with *E. coli* O157 as someone who didn't. Someone who was in town during that weekend in June was 14 times as likely. Testing the reliability of the numbers, the computer concluded that if the same study were conducted 10,000 times, those results would appear by chance only nine times. "Which is nice," Breuer said. "Which is very nice."

How the bug got into the Alpine water supply was anybody's guess, but the EIS team had an idea. The winter storms around the town had been fierce enough in the early part of the year to topple fences erected to keep animals away from the springs. If even a single animal did wander in, any feces it left behind could have been washed into the water supply by spring rains. Bacteria in the feces would have moved through the Alpine pipes in a single foul rush and then drained away. "Once the *E. coli* hit town it was at once everywhere," Breuer says. And then, just as quickly, it was gone.

In the end, 61 people tested positive for the Al-

pine bug—19 of whom were hospitalized—and an additional 159 were suspected of being infected, making it the largest water-borne outbreak of O157 in the U.S. So far none of the Alpine victims have died; given the bacteria's low but consistent mortality rate, however, that is as much a stroke of luck as anything else.

**H**OPING FOR SIMILAR GOOD FORTUNE in the future is not the best way to fight the microbe. Until a drug treatment is available, the best answer is prevention, and several groups are taking action. Alfalfa seeds, which have been implicated in past *E. coli* outbreaks, are now being irradiated to kill bacteria, and last year the Food and Drug Administration gave the cattle industry the green light to treat meat the same way. The procedure is generally effective, but critics are uneasy, questioning whether it's ever a good idea to irradiate something consumers are intended to ingest.

More effective than cleaning food after it's been contaminated is preventing it from getting dirty in the first place. Already

public health advocates are calling for stricter standards in slaughterhouses and tighter inspection procedures to keep *E. coli*-contaminated meat out of the food chain. While this has been a common refrain in the past after outbreaks of salmonella and other food-borne pathogens, the severity of the O157 outbreaks may at last prod the government into action. President Clinton is proposing a modest \$100 million in new funding to improve food safety, but he is still meeting resistance in Congress.

Until Washington does bestir itself, consumers must look after themselves. All fresh vegetables—including packaged, so-called triple-washed vegetables—should be thoroughly cleaned. Steaks can be safely eaten relatively rare, since *E. coli* is typically found only on the surface of food, and cooking will generally kill it. Hamburger is another matter. Grinding beef distributes bacteria throughout the patty, so the only safe burger is a well-done burger.

For human-to-human infection, common sense is the rule. Hand washing after bathroom trips was a good idea when the fiercest *E. coli* was ordinary *E. coli*; with O157 at large, it's even more important.

Parents should take similar precautions when changing diapers, and diaper-age babies should not go into swimming pools. Even in wading pools, toddlers should wear a water-proof bathing-suit liner.

Apart from these measures, there's not much even the most germ-wary person can do. Eating, drinking and human contact are not optional, and as long as O157 is out there, some people are going to get sick. As long as some people get sick, at least a handful are going to die.

A few weeks after the Alpine outbreak subsided, LaFonda Scott and one of her daughters attended a church luncheon. Still shaky after their battles with the bug, mother and daughter made their way to a nearby table, where seven-year-old Janessa spotted a pitcher of water. Eying it warily, she asked, "Mom, is that safe water?"

Her mother could only reply, "I don't know." —Reported by Dick Thompson/Alpine

## HOW YOU CAN AVOID E. COLI

### WHEN YOU'RE SHOPPING

Avoid unpasteurized milk and milk products. Don't buy unpasteurized fruit juice. Keep raw meat separate from ready-to-eat foods.

### WHEN YOU'RE PREPARING FOOD

Wash your hands and all food you are going to eat raw. After handling meat, wash hands, cutting boards and any plates, bowls or utensils with which the meat came into contact. Cook all meat and poultry thoroughly.

### WHEN YOU'RE DINING OUT

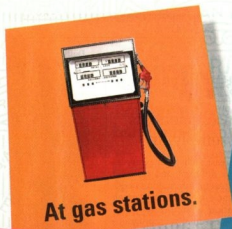
Don't order meat—especially hamburgers and other ground meat—rare. In fact, all food, including vegetables, should be well cooked. Avoid unchlorinated water.

### WHEN YOU'RE SWIMMING

Toddlers in diapers shouldn't go in swimming pools. Don't let kids swim if they've had diarrhea. Avoid swallowing lake water while swimming.



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# Dolly, You're History

By making dozens of copies of a mouse, scientists take cloning one step closer to the assembly line

By MICHAEL D. LEMONICK

**I**N THE YEAR AND A HALF SINCE SCOTTISH embryologist Ian Wilmut presented Dolly, the cloned sheep, to an astonished world, ethicists and policymakers have been struggling with the unsettling implications of his research. Could scientists use Wilmut's method to clone not just sheep but also billionaires, basketball players and bodies grown for spare parts? Should medical entrepreneurs be allowed to pursue cloning wherever it leads? Or should the government step in now and outlaw it before it starts?

For reproductive biologists, these issues pale in the face of two more immediate and practical questions: Is Dolly really a clone—and if so, can anybody make one? It's taken a while, but the answers are finally in. The verdict, according to a trio of reports in the current issue of *Nature*: yes and yes. Not only have Dolly's pedigree and her immaculate conception been established beyond all reasonable doubt, but she has been joined by litter upon litter of perfectly cloned mice. Cloning has, with a speed no one anticipated, been transformed from an astonishing technical tour de force into what seems almost a mundane laboratory procedure.

What makes Dolly and these new mice special—and distinguishes them from barnyards of previously cloned pigs, cows and sheep—is that they were cloned from adult cells or, as the scientists call them, differentiated cells. All those earlier clones were made from fetal cells, which have no specialized function but carry the potential to turn into anything and everything the body needs.

Differentiated cells, by contrast, have already become specialized, with some genes turned on and some turned off, mak-

ing them into breast or liver or pancreas cells. Although a differentiated cell still contains all the genetic information needed to create a whole new creature, much of that information is suppressed. Nobody had ever succeeded in reprogramming its genes back to the comparatively undifferentiated state suitable for cloning.

Until Dolly, that is. What Dolly proved is that you don't have to take your chances with fetal cells. You can wait until the litter has grown up, see which individuals have proved themselves to be great producers of wool, milk or—a stretch, perhaps—NBA titles, and then clone the champs.

Still, Dolly would be just a laboratory curiosity if no one could repeat Wilmut's breakthrough. And that's where Teruhiko Wakayama comes in. He's a 31-year-old Japanese postdoctoral student who was studying cloning as a hobby at the University of Hawaii, where his lab director, Ryuzo Yanagimachi, was famous for telling students "not to be afraid of asking crazy questions. The crazier the better."

Wakayama's idea was truly crazy: he wanted to clone mice, long believed to be among the worst candidates for cloning because their egg cells are particularly delicate and their embryos develop so rapidly. He squeezed in the cloning work during his free time, carefully manipulating one type of mouse cell after another until, just months after Dolly was unleashed on the world, he succeeded in cloning the cumulus cells that surround the egg in the ovary. Wakayama's whimsi-

## THE NEW TECHNIQUE

- **WHAT KIND OF CELL:** Cumulus
- **METHOD:** Nucleus is sucked out of cell and injected into an empty egg
- **STIMULUS:** Chemical bath
- **SUCCESS RATE:** 2-3 in 100



## THE OLD WAY

- **WHAT KIND OF CELL:** Mammary gland
- **METHOD:** Donor cell is fused with an egg that has been stripped of its nucleus
- **STIMULUS:** Electric pulse
- **SUCCESS RATE:** 1 in 277

cal name for his new creation: Cumulina.

His technique was almost identical to Wilmut's except for two key steps. First, instead of using electric shocks to coax an adult cell into merging with a host egg whose nucleus had been removed, Wakayama injected just the adult nucleus into a nucleus-free host. And second, he let the hybrid cell sit for up to six hours before stimulating it to start dividing.

He must have done something right. Where Wilmut got only a single cell to flower into an embryo and then a full-term fetus, Wakayama got dozens; up to 3% of his clones survived. That may be in part because his technique treated the cells more gently. It's also possible that injecting just the nucleus introduced fewer contaminants into the host cell.

Whatever the reason, the cloned mice were perfectly normal in all respects. They could mate and give birth, and their DNA was so robust that they themselves could be cloned—and their clones cloned. So far, Wakayama and his colleagues at the University of Hawaii have produced three generations of identical mice, 50 in all.

PHOTO: AMERICA, INC.

Cumulina's cousins



This is the original mouse



These are clones of that mouse



And these mice are

A reliable cloning technique for an animal that has such well understood genetics and reproduces so rapidly (up to five generations in a year) means that scientists will be able to study in detail the process by which genes turn on and turn off, and thus how cells become specialized for particular jobs in the body. And if Wakayama's technique can be scaled up to larger animals—a question researchers are already making plans to answer—the research could lead to all sorts of applications.

Cows genetically engineered to produce valuable human proteins, for example, or pigs whose organs have been altered to remove proteins that trigger rejection after transplant operations, could be stamped out on an assembly line. Fast racehorses or blue-ribbon pets might be duplicated at will. In humans, both cancer and the aging process involve genetic changes at the cellular level. Thus a better understanding of how genes work might someday have implications for anti-cancer and anti-aging treatments.

It's even conceivable that a human with a failing liver could have a new one grown from, say, a cell taken out of his bone marrow. "This is fantasy now," admits Alan Colman, research director of PPL Therapeutics, the Scottish biotechnology firm that holds the license for the process that created Dolly. "But two years ago, so was the work that is now being presented in *Nature*."

And yes, Wakayama's work does bring complete human cloning a dramatic step closer to reality. Creating a carbon copy of a living adult will always be impossible, however. The difference in age between parent and child alone would prevent it, and because genetics only partly determines who we are, a clone could never be exactly the same person as its parent. The offspring of a brilliant musician or a scientific genius could, depending on his or her life experience, turn out to be a great criminal. But human cloning will happen anyway—perhaps much sooner than anyone thought. And when it does, the hand-wringing of ethicists and politicians will not have been wasted.

—Reported by Helen Gibson/London and Alice Park/New York



clones of those clones

## Going Out on a Limb

Louisville doctors announce the first "successful" hand transplant before they even lift a scalpel

**P**IONEERING SURGEONS USED TO WAIT until after the operation before claiming their 15 minutes of fame.

Not anymore. In Louisville last week a team of doctors announced their intention to perform "the world's first successful hand transplant"—using a limb from a fresh cadaver—before lifting a scalpel or even picking a patient.

As expected, the statement elicited a

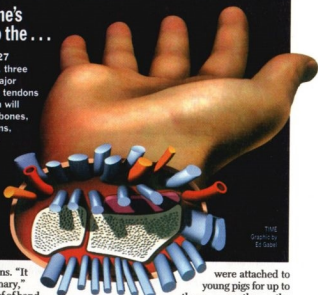
ing the success rate of all kinds of organ transplants—from hearts and lungs to kidneys—a body part composed of as many different tissues as the hand poses special immunological challenges. A similar transplant was attempted in Ecuador in 1964, but the donor hand was rejected within two weeks.

Still, the Louisville team is optimistic. Heartened by their animal experiments, in which flaps of bone, tendon and muscle

### The Hand Bone's Connected to the . . .

The hand contains 27 bones, 28 muscles, three main nerves, two major arteries and various tendons and veins. The team will start by joining the bones, then move to tendons, arteries and nerves.

- Artery
- Nerve
- Tendon
- Muscle
- Bone



flurry of second opinions. "It would be revolutionary," said Dr. Neil Jones, chief of hand surgery at UCLA Medical Center, who acknowledged that the Kentucky doctors are among the best in the business. But would the transplant take? "Based on what we know of their animal research," he says, "I'd say they're premature." Dr. Andrew Palmer, president of the American Society for Surgery of the Hand, characterized the announcement as "driven as much by marketing as by betterment of the patient."

The Louisville doctors, of course, knew they would probably run into a buzz saw. Not so much over the surgery. That will be tedious and exacting, requiring the joining of dozens of nerves, blood vessels, tendons, muscles and bones, but it's the sort of delicate operation that hand surgeons have been doing for years. The big question, when a borrowed hand is involved, is rejection. While new immunosuppressant drugs are improv-

were attached to young pigs for up to three months, the doctors convinced their review boards at the University of Louisville and Jewish Hospital that a hand transplant was, as the team's chief surgeon, Dr. Warren C. Breidenbach of Kleinfert, Kutz and Associates Hand Care Center, put it, "the next logical step."

Even so, it may take months to find a suitable patient (18 to 65 years old) and donor. For the recipient the benefits must clearly outweigh the heavy risks; he or she must be willing to accept the likelihood of limited function and feeling in the new limb, a lifetime of medication, the ever-present threat of infection and, finally, what San Francisco neurologist and hand therapist Dr. Frank R. Wilson calls the heavy psychological burden of being reminded daily that "an important part of your anatomy is not your own." It won't be an easy decision for patient or doctors.

—By Frederic Golden

# The Class of

First they took over your TV. Now they're clogging the 'plexes! It's the Invasion of the Teen Stars, and Hollywood moguls couldn't be happier

By RICHARD CORLISS

**K**ATIE HOLMES FLASHES HER luminous, kitten-on-a-pillow smile and says, "It's a wonderful thing to be 19 and in show business right now." Ain't it, though? Last year she and her mom made a video screen test in the rec room of their Toledo, Ohio, home and sent it to Kevin Williamson, the *Scream* screenwriter, who needed an ingenue for his new TV series, *Dawson's Creek*. "I thought it would be just a sweet attempt," he says, "but Katie was amazing. At first she couldn't come meet us because she was in a high school play. Finally she walked in, and she was exactly what I had envisioned for the role."

So you don't have to be Drew Barrymore to become a movie Cinderella. With her *Dawson's* role as the dewy but sensible Joey and her film debut in the thriller *Disturbing Behavior*, Holmes

could be the hottest multimedia teen since—hey, remember Neve Campbell?

These are indeed the wonder years for young actors with a marketable cuteness, an elfin eroticism, a certain Leo-like or next-Brad charisma. There are dozens of TV shows, like *Dawson* and Campbell's *Party of Five*, to employ them—and, it seems, quillions of low-budget movies to exploit their radiance and here-today star quality. Next week brings *Halloween: H20*, featuring *Dawson's* regular Michelle Williams. Then the college comedy *Dead Man on Campus*, with Alyson Hannigan of TV's *Buffy the Vampire Slayer*. The teen-pyrotechnic parade marches into the fall by the dozens, including *Varsity Blues* (with *Dawson's* James Van Der Beek) and *I Still Know What You Did Last Summer* (Partly of *Five's* Jennifer Love Hewitt).

If you're middle-aged and childless, these titles, these "stars," may mean nothing to you. And if you go to

teen movies, you may wonder why anyone else would. *Disturbing Behavior*, directed by *The X-Files'* David Nutter, has a Stepford-teens premise with slacker appeal (all the well-behaved kids with good grades have been lobotomized on the say-so of their evil parents), and Holmes looks terrific as a Draculette punkster (nose ring, bicep tattoo, a swath of bare midriff). But the film goes haywire with torture scenes reminiscent of *A Clockwork Orange*. Which makes this a clockwork lemon. *Halloween: H20*, directed by *Dawson's Creek's* Steve Miner from a story idea by Williamson, sends Jamie Lee Curtis once more against her masked nemesis, in a retreat of John Carpenter's 1978 classic. You loved the original; why not just rent or remember it?

Well, frankly, you don't matter. To Hollywood, kids matter. They are the most avid movie patrons—nearly half go twice a month or more, double the rate for

25-to-34-year-olds—and there are more of them than ever before. "The teenage population is growing faster than any other segment," says Paramount executive Rob Friedman, "and their tastes are more sophisticated than they used to be." They go for hip variations on old themes, flocking to the two *Scream* films (each earned more than \$100 million at the domestic box office) or to a canny thriller like last year's *I Know What You Did Last Summer*, starring Hewitt and *Buffy's* Sarah Michelle Gellar (which

## HOLLYWOOD DREAM HIGH 1998 YEARBOOK



**NEVE CAMPBELL**

**Age:** 24  
**Activities:** Demure smoldering on *Party of Five*. Screaming in both *Screams*. Naughty (but no nudity) in *Wild Things*.  
**Most Likely to:** Grow old gracefully



**SARAH MICHELLE GELLAR**

**Age:** 21  
**Activities:** Slays vampires by night. Did bad thing last summer. Blond, buff and bitchin'.  
**Most Likely to:** Get anything she damn well wants



**JENNIFER LOVE HEWITT**

**Age:** 19  
**Activities:** Parties with *Party of Five*. Can't Hardy Wait this summer. And we know what she did last summer.  
**Most Likely to:** Be Audrey Hepburn



**JAMES VAN DER BEEK**

**Age:** 21  
**Activities:** Soulful Dawson on TV. For movies, will letter in football (*Varsity Blues*), hockey (*Mystery Alaska*).  
**Most Likely to:** Be a sexy Gary Cooper



**MICHELLE WILLIAMS**

**Age:** 17  
**Activities:** Flees from sexual past on *Dawson's Creek*. Runs for life in *H20*. Meets Nixon in her next film, *Dick*.  
**Most Likely to:** Vamp till ready

# '98

grossed \$72 million on a \$17 million budget).

Most teen films don't do this well, and most young TV stars can't guarantee B.O. gold. Movies starring Campbell (*Wild Things*) and the slightly older *Friends* cast (*Picture Perfect*, *Fools Rush In*, *Romy & Michele's High School Reunion*) typically bump their heads on the \$30 million ceiling. Teen movies still serve an old function: to caulk the crevices in the release schedule and create cheap product that, if it doesn't make a bundle, won't lose one either. Like *I Was a Teenage Werewolf* and the Elvis films of 40 years ago, they are reliable B movies.

But even if a teen film isn't a big hit, it can make money. This summer's *Can't Hardly Wait* (with Hewitt) grossed a tepid \$25 million, but since it cost only around \$10 million, everyone got to see some green. Everyone but the actors. "The teen genre is a godsend to studios, because they can use a bunch of young people in the place of one \$20 million star," says Cary Woods, who produced *Scream*. "And the kids don't get gross percentages, so the studios get nice profits." It's not as if these kids were cobbling Nikes in China—\$50,000 to \$150,000 is decent pay for a summer job—but young TV stars are the best buy in Hollywood.

And so are teen moviegoers. Gerry Rich, MGM's president of worldwide marketing, notes that a teen movie may cost up to 50% less to advertise than a big summer film. Cost-efficient ads for *Disturbing Behavior* and *Halloween: H20* are blanketing the kid-drams and cable music channels. "When you're marketing a teen movie," notes Bob Weinstein, the Miramax co-chair and boss of Dimension



## KATIE HOLMES

**Age:** 19 (but 15 on TV)

**Activities:** Dawson's Creek's darling. Goes punkish in *Disturbing Behavior*. Gets vengeful in Kevin Williamson's *Killing Mrs. Tingle*

**Most Likely to:** Reach 20 with sanity intact

new black comedy, *Killing Mrs. Tingle*. "You'll read a script where the characters are 40 years old, and the

Films, which distributed the *Scream* epics, "mrv becomes your best friend."

Now teens and Hollywood are on that same intimate basis. "Everything is being cast younger in Hollywood," says Cathy Konrad, producer of Williamson's

studio will ask if they can be in their early 20s instead." The moguls also think of how the Amy Heckerling comedy *Clueless* transformed Jane Austen's *Emma* into a modern-teen hit, and they dip some literary favorite into the fountain of youthpix. The



C I N E M A

fall film *Ten Things I Hate About You*, starring Joseph Gordon-Levitt of *3rd Rock from the Sun*, is "*The Taming of the Shrew* in high school." Next year's *Cruel Intentions*, with Gellar and Dawson's Joshua Jackson, was pitched as "*Dangerous Liaisons* in high school." Then there's *Strike*, billed as "*Lysistrata* in high school." Can a teen *Finnegans Wake* be far behind?

Fortunately for Hollywood, there are millions of attractive kids with a show-biz bug. "Casting directors used to recruit out of Yale drama school," says Konrad. "Now they go to small towns to watch high school plays." Or they receive a videotape from Ohio. "I'm kind of a fresh-face type of deal," says Holmes, asked to explain her

appeal. "It's not that I'm sexy, I know that! Whatever. I know it won't last forever, but I'm glad to be in my teens and doing these things."

To the fans of teen stars, "doing these things" means being part of a close celebrity cluster. "Everyone thinks it is like *Melrose Place*, that we all live in the same apartment complex and go to the same spots every night," says Hewitt, who will soon star as Audrey Hepburn in a TV miniseries. "That is so not the case. People ask me, 'What is Leo like?' Like I would know. Even at premieres, you go to the movie and the party, you feel uncomfortable, then you go home early and eat macaroni and cheese in your sweats."

For the cannist take on the teen trend, go to a potential teen idol: James Marsden, the talented, feloniously gorgeous star of *Disturbing Behavior*, who speaks of teens from the remote perspective of his 25 years. "They are a very intelligent generation," he says, "more intelligent than I was. They are cynical, sarcastic. The less a movie tries to cater to them, the more they want to go see it. And their influence is amazing. Why don't you just have 14-year-olds run the studios?"

A teenage mogul. Hmm, where's the downside?

—Reported by Elizabeth L. Bland/New York and Jeffrey Ressler/Los Angeles



PHOTOGRAPH BY JEFFREY RESSNER



PHOTOGRAPH BY JEFFREY RESSNER

**SCREAM AGAIN:** Holmes and Marsden in *Disturbing Behavior*; Josh Hartnett and Williams in *Halloween: H2O*



Barrymore, Hollywood's former bad girl, blossoms in *Ever After*

PHOTOGRAPH BY JEFFREY RESSNER

## Too Good to Be Drew?

**Y**OU CAN TELL A NEW GENERATION IS DUE IN HOLLYWOOD WHEN ACTRESS who used to play kooky nymphets start portraying earnest newspaper reporters. That's what will happen in *Never Been Kissed*, a comedy shooting in Los Angeles that stars Drew Barrymore as an aspiring journalist who goes undercover to write about—you guessed it—high school students. "I'm at an interesting place," explains Barrymore, 23. "I'm numerically and biologically young, but I feel so much older because I've lived a fast life. I've been in the working rat race my whole life too, and that always ages you in a great way."

Barrymore made her first movie splash as the wide-eyed little girl who befriended E.T. 16 years ago, which qualifies her as a sort of cool elder sister for the new group of Hollywood teens. With a stream of increasingly grownup movie parts, she's not a bad role model. After a 1996 cameo in *Scream* and a perky co-starring role in *The Wedding Singer*, she stars in *Ever After*, a sweet feminist remake of *Cinderella* that opens this weekend, and plays a pregnant fast-food clerk in the quirky black comedy *Home Fries*, coming later this year. She makes a reported \$3 million a picture, has her own production deal at Fox, and is being courted for dramatic roles, including the part of tormented actress Sandra Dee in a Bobby Darin biopic.

Barrymore has done some maturing offscreen as well. "I'm becoming that dork I couldn't stand when I was a kid," she says, while diving into a Korean dinner of barbecued mushrooms. "One Saturday night I found myself watching *The Capital Gang* on CNN. I was like, 'Oh my God! What is going on, and who have I become?' "Anyone who's ever read a tabloid knows how Drew—granddaughter of acting legend John Barrymore—bounced back from repulsive drug and alcohol problems to become a sober-but-still-free-spirited teenage wild child. She doesn't regret much, certainly not baring her breasts to David Letterman or showing off her butterfly tattoos in *Playboy*. "When I'm 40, I'm going to get the biggest kick out of looking at that," she laughs. If any scars from her childhood remain, they lie in the self-imposed estrangement from her mother. "Some days it hurts and I'll feel kind of lonely, but 99% of the time I'm routinely, mechanically, monotonously into the routine of not having a family life."

For now, home life means spending time with a menagerie of pets and her steady boyfriend, actor Luke Wilson (*Bottle Rocket*), at her newly converted barn tucked away in a Los Angeles canyon. She has managed to turn her movie teams into cozy families as well: during the filming of *Ever After*, in an isolated village in France, she endured herself to the crew by supplementing the set's meager craft-services table with fresh fruits and sandwiches. A strict vegetarian who objects to harming animals, Barrymore also believes in the spiritual power of aura, karmic, energy fields and the like. Maybe that's why she has lately veered away from bad-girl roles and is looking for new projects that inspire her. "Upsetting movies scratch my psyche the wrong way," she says. "I want to laugh and escape and see love and romance. That's where I'm at." Doesn't sound dorky to us. —By Jeffrey Ressler





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# Shelter in the Storm

With its cool alternative to alternative rock, the Dave Matthews Band has the summer's hot tour

By DAVID E. THIGPEN VIRGINIA BEACH

**H**A VE YOU HEARD ABOUT THE bartender who sank the *Titanic*? It happened on the record charts, not in the North Atlantic, and instead of an iceberg, the fatal blow was struck by Dave Matthews, a former barkeep turned leader of the Dave Matthews Band. After spending 16 weeks at No. 1, the once unsinkable *Titanic* soundtrack collided with Matthews' new album, *Before These Crowded Streets*. When it was over, Matthews reigned in the top spot.

Now the Dave Matthews Band (DMB) is building on that achievement with the summer's most exciting rock tour. Last week the group launched its 23-city road show with a sold-out appearance in Virginia Beach, Va., where they kept an ecstatic crowd of 20,000 on its feet despite sweltering heat. The band that once paid its dues by playing fraternity houses drew an impressively diverse coalition of college students, young suburban professionals, Lilith Fair stalwarts, fusion-music devotees and even recovering Deadheads. For fan Sarah Patejak, 18, the music's allure was that "it's all-purpose. You can dance to it or just chill to it." Ryan Connor, 17, came to ponder the lyrics, which, he said, "force you to think."

At a time when record buyers are abandoning the monotony of alternative rock in favor of the music smorgasbord of movie soundtrack albums, it is perhaps no surprise that the DMB has broken out. For years the band's hard-to-categorize music was scorned by serious rock critics, who considered it overblown frat rock. The group is suddenly being viewed as a legitimate, de-serving successor to the great American jam-band tradition of the Grateful Dead and the Allman Brothers.

The DMB offers an alternative to

alternative rock: music that is conspicuously eclectic but plainly rooted in the familiar bedrock of Americana, the blues and jazz. By introducing acoustic guitars and shifting tempos punctuated by violins, penny whistles and other flourishes of world music and jazz, the band has forged a cerebral yet commercially appealing sound, surpassing competitors like Phish. Onstage, the



**"I try to suggest a feeling in my music—forgiveness, frustration, anxiety—but avoid the politics"**

five band members seem more like a jazz combo than a rock band, playing tightly coordinated phrases that suddenly veer off into flights of improvisation. Matthews sings, plays guitar and projects an uncomplicated, populist charisma that dispenses with rock-star pretense.

The DMB's ascent began seven years ago in a Charlottesville, Va., bar called Miller's, a familiar crucible of the town's hot-music circuit. Between serving drinks there, Matthews hatched the idea of starting his own band. He first came to the U.S. from Johannesburg at age two,

returned at age 13, and then in 1986 finally settled here for good. One of the things he liked about the U.S. was that he could "listen to everything from Pete Seeger to the Jackson Five." In 1991 he hooked up with jazz drummer Carter Beauford, saxophonist Leroi Moore, violinist Boyd Tinsley and bassist Stefan Lessard. The new band spent two long years gigging at beer-stained frat houses, molding their sound.

They also hit upon an inexpensive way to chip away at their obscurity, by encouraging fans to tape their shows. As the tapes found their way around college campuses, so did buzz on the rising new band. By 1993, on the strength of their local rep, the DMB's self-released debut, *Remember Two Things*, sold 130,000 copies, mostly out of car trunks. Not long afterward, RCA Records came knocking, and the band's popularity kept growing. Their albums *Under the Table and Dreaming* (1994) and *Crash* (1996) each sold 5 million.

Matthews' lyrical gifts, meanwhile, were steadily developing. From the winding, elegiac *Crash* to the lament of *The Dreaming Tree*, he conjures optimism in a world beset by environmental depredations, political paralysis, self-doubt and hopelessness. Songs like *Pig* strip away the rage of alternative rock and replace it with reassurance. "From the dark side we can see a glow of something bright," Matthews sings. "There's much more than we can see/ Don't burn the day away."

Matthews, 31, describes his songs as "therapy," an effort to help his listeners cope with a society "where racism is absolutely alive" and where people can be overwhelmed by a world reeling forward uncontrollably. "I try to suggest a feeling in my music—forgiveness, frustration, anxiety—but avoid the politics, and let people make up their own mind."

Amid the social critiques of rap and alternative rock, Matthews' music is a sanctuary that has dissolved some of the lines that separate rock fans. It is also raking in money. Those two achievements aren't often compatible, but Matthews is one of the few rock performers who can lay claim to both. ■

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# Rattling the Cage

She got hooted out of the Met, but nearly everywhere else Francesca Zambello is opera's hottest director

By TERRY TEACHOUT

**I**N THE TIGHT LITTLE WORLD OF OPERA there's only one place to be this weekend. Fans from at least 44 states and 13 foreign countries are planning to fly to Seattle to see two of the biggest young voices in the business, Canadian tenor Ben Heppner and English soprano Jane Eaglen, make their double debut in the Seattle Opera's new production of Wagner's *Tristan und Isolde*. But the prospect of finding a fresh pair of singers capable of tackling Wagner's most vocally demanding roles is only part of what's drawing opera lovers to the Pacific Northwest. This *Tristan* is being staged by Francesca Zambello, whose penchant for scandalizing stodgy opera buffs with a startling blend of flashy theatrics and unabashed feminism has made her the most controversial opera director of her generation. "Tristan's ship," Zambello explains gleefully, "is a huge ocean liner that has Isolde in the middle—as if she's in a womb or a prison—and the lower deck is an engine room with sweaty bodies. When I saw the set, I thought, 'People are just going to freak!'"

Judging by Zambello's history, that isn't a bad prediction. Six years ago, she staged Donizetti's popular *Lucia di Lammermoor* for New York City's Metropolitan Opera, and her vision of madness and death—the stage was strewn with coffins—drew catcalls from tuxedoed first-nighters expecting something considerably more romantic. In her version of Gluck's *Iphigénie en Tauride*, presented last fall by the New York City Opera, the two principal male characters were stripped down to skimpy loincloths and chained together, to underline what Zambello believes to be the opera's homosexual subtext. "Cesca is an artist with a strong mind and a point of view," says Paul Kellogg, the City Opera's general and artistic manager. "And whether one agrees with her approach or not, I can tell you that it makes for exciting opera."

**BILLY BUDD:** Among her stunning effects, an onstage hanging

Born in New York City, Zambello, 41, majored in philosophy at Colgate University, although she already knew she wanted to become a director. Dark-eyed, strong-featured and forceful to a fault, she confesses to being "a born control freak." An apprenticeship with the innovative opera director Jean-Pierre Ponnelle led to her 1986 European debut at Venice's Teatro la Fenice, and her work is now seen regularly at London's Covent Garden and Paris' Bastille Opera, as well as in such American cities as Houston, where her joltingly fresh takes on Puccini's *Madama Butterfly* and Britten's *Billy Budd* opened back to back in January.

Though she isn't the only director raising hackles among conservative operagoers, Zambello's frankly emotional style stands in sharp contrast to the chilly postmodern pageantry of Robert Wilson and the ultrapoliticized, damn-the-capitalists stagings of Peter Sellars. "I think the new millennium is going to bring a new romanticism in the arts," she says, "one that focuses on real people and their individual lives." Every element of her productions is conceived as part of a single, unified metaphor for the opera's underlying dramatic conflicts. Asked to describe her *Billy Budd*, she replies, "No boat, no uniforms," a crisp

**RADICAL:**  
"It isn't fun to be boored, but ... it's also a badge of success"



JANE EAGLEN FOR TIME

summation that sails close to the literal truth: Alison Chitty's stark set reduced the battleship H.M.S. *Indomitable* to a crosslike mast and a looming prow that jutted menacingly over the orchestra pit. Yet Zambello always leaves room for crowd-stunning effects: at the climax of *Billy Budd*, the title character was hanging in full view of the audience.

Zambello is not slow to respond to critics' attacks. "My mother once saw somebody reading a newspaper in a grocery store," she recalls, "and the headline said, THE SICK MIND OF ZAMBELLO. A lot of people who write things like that are menopausal males who don't want to hear women speaking up about storytelling. Opera is still basically a 19th century world dominated by men; any woman who comes in and rattles their cages is going to upset them."

Rarely has she rattled those cages harder than in her abrasive Met staging of *Lucia di Lammermoor*. She doesn't expect to be asked back, and Met general manager Joseph Volpe confirms that he currently has "no plans" to re-engage her. "It isn't fun to be boored," she says dryly, "but sometimes it's also a badge of success." She ought to know. With dozens of other opera houses competing for her services, she's riding high—and deservedly so. Few directors have done more to wrench open the minds of operagoers, and even the most outrageous of her productions stir the soul and leave an ineradicable mark on the memory. ■



TIMOTHY RAY



# Is That a Song or A Sales Pitch?

Payola lives—legally—as more record companies shell out cash for airplay

By DAVID E. THIGPEN

LAST WINTER THE SOUTHERN CALIFORNIA rap-metal quintet Limp Bizkit was just another scuffling young band that had probably spent too much time listening to its Beastie Boys and Rage Against the Machine albums. This summer Bizkit is basking in the kind of major exposure any new group would trade its nose rings for: a slot on the Oz-fest concert tour, an appearance on MTV's *Spring Break*, airplay on tastemaking KROQ radio in Los Angeles and a debut album, *Three Dollar Bill, Y'All*, that cracked the *Billboard* Top 100.

Yet Limp Bizkit is attracting less attention for its music than for one way the group made its breakthrough. In April its label, Flip/Interscope, signed an unprecedented contract with radio station KXVO of Portland, Ore., agreeing to pay \$5,000 in exchange for 50 plays of Bizkit's single *Counterfeit*. "Pay-for-play," as this kind of arrangement is called, is a controversial new twist on the old, discredited practice known as payola: instead of letting songs rise or falter on their merits in the tough record marketplace, some labels are improving the odds by paying radio stations cash to play or mention their product.

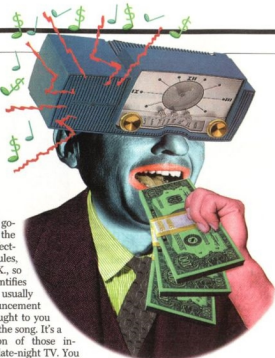
Pay-for-play may conjure up images of gold-chain-draped record executives illegally buying off disc jockeys with envelopes full of money and drugs. Those days have mostly gone, along with the deejays who were caught taking under-the-turntable payoffs during the payola scandals of the 1960s and '80s. (The Justice Department, however, recently began a probe of illicit payments allegedly made to radio stations by Latin-music giant Fonovisla Records.) Pay-for-play is done out in the

open, with the money going to the station, not the deejay. And it's all perfectly legal. Under FCC rules, such payments are O.K., so long as the station identifies the song as paid for, usually with a brief announcement ("This record was brought to you by ...") before or after the song. It's a record-industry version of those infomercials you see on late-night TV. You may think you're hearing a song because a station believes it's going to be a hit, but what you're really getting is an ad.

In Nashville, Tenn., where record bosses have watched country music's ratings share dwindle, one label, Capitol, has pioneered a related tactic: pay-for-play. The label is spending \$500,000 at 28 radio stations this year for 10-second commercials to run with songs by Garth Brooks, Steve Wariner and Suzy Bogguss. The ads remind the listener of the singer's name, the record label and where the album can be bought. Though the label does not pay for airplay, the commercials (which run only when the song is played) are an obvious incentive for the station to play the records more often. Capitol Nashville CEO Pat Quigley says he's so pleased with the results that he intends to expand his campaign to 100 markets.

Do these tactics pay off? On the evidence so far, it's doubtful. While pay-for-play can give singles a push, its impact on album sales—where record companies make their real money—seems limited. Limp Bizkit's album, after getting an initial boost from pay-for-play, has sunk to the bottom quarter of the *Billboard* 200. Whatever success the band has had owes more to its many live performances.

Capitol's country artists too seem to



have got only a minor boost from pay-for-play. Brooks' album *Sevens* is a hit—as it would undoubtedly have been without pay-for-play. But Bogguss's *Nobody Loves Nobody Gets Hurt*, after debuting on the *Billboard* album chart at No. 42, has since slipped to No. 61, while Wariner's *Burnin' the Roadhouse Down* opened at No. 6 and fell to No. 21 last week. Pay-for-play is no magic wand. It can make a good record sell better but doesn't do much for an average one.

That's just one reason most record executives are still wary of the practice. Country-music hitmaker Mike Curb, best known for discovering LeAnn Rimes, vows not to use pay-for-play, fearing that the financial lure may tempt stations to start refusing songs unless they're paid. Another opponent is Richard Branson, the billionaire entrepreneur and head of V2 Records, who is worried that pay-for-play will turn listeners off by allowing inferior music on the airwaves. "If radio doesn't give the people what they want," he warns, "the people will go to other mediums."

Many musicians are skeptical of the practice as well. "I've been trying to get on radio my whole life," complains country singer Hal Ketchum. "This whole idea brings us one step closer to the infomercial and limits the opportunity of a great song to break through. It puts us on the same plane as the Thighmaster and the Ginsu knife." Nor will it ever substitute for the real emotional connection between a song and a fan, which was once what hits were all about.



**PAY-FOR-PLAY** The practice has given groups like Limp Bizkit a boost



## MUSIC

**BREATH FROM ANOTHER** *Esthero* These days some of the best jazz singing is turning up in the pop-record racks. Nineteen-year-old Esthero, singer of a



Toronto trip-hop duo that bears her name, is the newest member of the school of so-called blue-groove vocalists

(it includes Skye Edwards of Morcheeba and Tracey Thorn of Everything but the Girl), who use the delivery and seductive lilt of jazz to bring warmth to chilly avant-garde pop. Esthero's debut with her co-writer and producer, Doc (Martin McKinney), weaves hip-hop, drum and bass, funk and ska into tunes full of emotional intensity. Doc controls this array as a pointillist might, coloring each song with an unusual palette of detail—the strum of a harp here, the sigh of a trumpet there—and arranges it all into a seamless backdrop. In this setting Esthero's sweet, bluesy voice shines like a young Billie Holiday's. —By David E. Thigpen

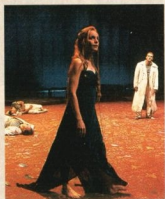
**TURN UP THE QUIET** *Geoff Keizer* Album titles that sound like Zen koans are almost always a sign of musical vapidity (New Age alert!). But not here. On his seventh disc as a leader, this adventurous 27-year-old jazz pianist justifies the title's paradox with playing that is

full of odd stops and starts and tonal shifts, all of which he negotiates with delicacy rather than flash. This is music that manages to be both prickly and soothing—like anxious lullabies (to suggest another unappetizing title). Though Keizer gives himself

three solo numbers—a highlight being his gentle deconstruction of *Lush Life*—the heart of the album is a series

of tunes featuring Keizer in an all-star trio setting with bassist Christian McBride and saxophonist Joshua Redman. The lack of a drummer to knit things together in the usual way, along with Keizer's provocative, concerto-like arrangements (his accompaniment can be even more interesting than his solos), suggests a kind of jazz version of Baroque counterpoint. Three cuts feature a breathy Diana Krall on vocals;

## JOB SWAP



**HELEN HUNT:** Taking the plunge into Shakespeare, the TV star turned Oscar winner comes through swimmingly. As the shipwrecked, lovestruck, cross-dressing Viola in a limited-run Broadway revival of *Twelfth Night*, Hunt sparkles almost as much as the onstage pool in a production that is a midsummer night's dream. —By William Tynan

two others nibble on the airier edges of fusion with an expanded cast of electronic and acoustic musicians. Miraculously, it mostly all coheres—one more paradox. —By Bruce Handy

## CINEMA

**$\pi$  Written and Directed by Darren Aronofsky** Max's brain is a delicate instrument with too much complex wiring; all the data give him ferocious migraines. Yet it is the brain of this loopy mathematician (Sean Gulleter) that makes him a captive of powerful groups with dark designs—some Wall Street sharpies and a coven of Hasidic Cabalists. This no-budget (\$60,000) New York City thriller offers a warning applicable to humans as well as computers: knowledge is a virus. But the real triumph of  $\pi$  is its sensuous chiaroscuro imagery (cream swirling in coffee, blood dripping from a man's jacket, Max's raccoon eyes after a sleepless night). Aronofsky, who has parlayed this movie's Sundance success into two Hollywood deals, is that rare indie filmmaker who doesn't want to make hip romantic sitcoms. He's a genuine experimenter with a spooky visual

style. Max might be speaking for his gifted creator when he says, "I'm on the edge, and that's where it happens." We wish. —By Richard Corliss

## TELEVISION

**MAXIMUM BOB** *A B C, Tuesdays* As the director of *Men in Black* and *Get Shorty* and the cinematographer on three Coen brothers films, Barry Sonnenfeld has had lots of experience with a genre you could call bizarre noir. Now he has created his first TV show, and it has—in milder form—the surreality and edge of his earlier work. Based on an Elmore Leonard novel, *Maximum Bob* stars Beau Bridges as a colorful, corrupt judge in a small Florida town. He's the kind of guy who will avoid paying his ex-wife alimony by putting her in jail. Amusing, smoothly put together and featuring a likable cast, this summer series augurs well for Sonnenfeld's next (and very curious) TV project, a revamped *Fantasy Island*, which has won a place on ABC's fall schedule. —By James Collins



## BOOKS

**STIGMATA** *Phyllis Alesia Perry* How do you survive a legacy like enslavement? It takes Lizzie DuBose 20 years, most of them in an asylum, to recover from the inheritance she receives in 1974: her grandmother Grace's quilt and the diary of her great-great-grandmother Ayo, a slave. "I come from a long line of forever people," reads one entry. "We back and gone and back again." Ayo's restless spirit twice returns, once with enough violence to drive Grace from her family, and again during Lizzie's teenage years. This leads to convoluted identity politics, for the dead Grace also inhabits Lizzie's body. Soon, Lizzie is winking to African dust between her sheets, the rolling of a slave ship and her own blood seeping from torn flesh. Although Perry has clearly read her Toni Morrison, her insights into slavery are no more piercing than, say, Steven Spielberg's in *Amistad*. But to be fair, this debut novel is not really about remembering that peculiar institution; it's about healing relationships between mothers and daughters. The twist: Lizzie is both daughter and mother. —By Nadya Labi



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James J. Cramer

## TulipMania.com?

Despite their soaring prices, the best Internet stocks are still bargains. Here's how to pick 'em

CAN YOU AFFORD NOT TO INVEST IN THE POWERFUL trend toward people's shopping, at incredibly low prices, from the convenience of their homes? That was the pitch I used back when I was a broker at Goldman Sachs, and since that was in 1986-87, I wasn't hawking the Internet but rather an outfit called Home Shopping Network, which peddled stuff on TV and took orders by phone. Its stock had gone from 18 to 133 in the time it takes to say "cubic zirconium," and I thought it could only go higher. Instead,

it suffered the most brutal, protracted decline down to single digits that I have ever witnessed.

Plenty of conservative investors predict the same fate for today's highflying Internet stocks, which owe much of their appeal to the growth in online commerce. So why are America Online and Yahoo, each in its way a portal to the Net, two of my favorite stocks? Because the Net really delivers what TV shopping only promised. Rather than sitting in front of the tube, stupefied by a parade of junk while waiting for something you might want to buy, on the Net you can instantly research and order exactly what you want—whether a pearl necklace or a ticket to Maui or 100 shares of stock—at the lowest price around. E-commerce is already big, and it's going to be huge. Can you afford not to invest in it?

I can see you shaking your head. You're reluctant to pay today's high prices for stocks that so far have delivered little or no profit. After all, Amazon.com, the online bookseller, is up 312% this year on strong sales growth—but still without earnings. And Broadcast.com, which streams music and video over the Net, blew from 18 to 61 in its first six days of trading through last Friday, also with zero earnings. If you invest now, will you play the trend or get played for a chump?

First, understand that what's driving these prices is not so much business fundamentals as an imbalance between the handful of Internet stocks and the mob of portfolio managers like me who want to bet on the growth of the Net. I think that imbalance will persist. The best of today's

### The Internet Premium

One way to value Net stocks, even those without profits: divide the price by annual sales per share.



Internet companies are already so established as brands that they will dominate online spending.

Second, remember that all online companies are not equal. Faux Internet companies—those that have just added .com to their name to pump up the stock—are doomed to Home Shopping status within a year. They include Cybershop, Ktel and Marketguide. But the real Internet companies, like AOL and Yahoo, offer something different. They can sell ads for luxury cars and discount brokers that will reach well-off people, at work and at home, much more efficiently than either TV or off-line, dead-tree media. Wall Street understands that the best Net stocks are bargains, based on projected ad sales.

If you can't make that leap, there's another way to invest in the Net that I call the Forty-Niner strategy. If you don't want to lend your money to gold prospectors, invest in the companies that sell them shovels and pans. On the wired frontier, those firms include Cisco and Lucent, which are building much of the Net's physical infrastructure of routers and switches.

Whatever you do, don't sell short even a simple, online retailer like Amazon.com. Even if its growth slows, its price could get bid up in a takeover by a conglomerate eager to get into the book business. Remember, Home Shopping Network wiped out more short sellers than any stock I've seen, before it finally flamed into oblivion. ■

*Cramer holds investments in AOL, Cisco, Lucent and Yahoo. His investing website, [thetreet.com](http://thetreet.com), does business with AOL and Yahoo. Nothing in this column should be taken as advice to buy or sell stocks.*

## These Stocks Won't Fly

MORE INVESTORS, ESPECIALLY among the elderly, are getting suckered into scams, losing money on shady penny-stock schemes, foreign-currency deals and even ostrich farms, the North American Securities Administrators Association said last week. To protect yourself, steer clear of high-pressure telemarketing pitches, or at least check out the firm with state regulators, whose names and numbers are available at 202-737-0900.



## Who Pays for the Pill?

WITH ALL THE DEBATE ABOUT whether health insurers will pay for Viagra, it's easy to forget that many women aren't even covered for the Pill. Now Senator Olympia Snowe of Maine is pushing a bill that would require large plans that cover drugs to pay for all prescription forms of birth control. About half of all plans, including Kaiser Permanente and Prudential, now cover some form of protection, from the Pill to diaphragms and IUDs.



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MILLIONS OF STUDENTS TAKING OUT loans for college just got some unexpected financial aid. Earlier this month Congress passed legislation that, retroactive to July 1, lowered the interest rate on new, federally guaranteed student loans to 7.46%, from 8.25%. Those with more than \$30,000 in debt may soon have 15 extra years to pay it back.

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—By Daniel Eisenberg

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Michael Krantz

## Hollywood Online

Are you a hopeless movie buff? Want to bet on the box office? These websites are just for you

IN SUMMERTIME, A YOUNG MAN'S FANCY TURNS TO giant fireballs and gruff cops who don't play by the rules (a young woman's fancy turns to Sandra Bullock backligned by sunset, but you get the idea). My question is this: Do you just enjoy movies, or do you really love them? Would it excite you to know what animated films Disney is developing for the next century? Did the *Avengers* trailer leave you certain you could do a better job than the morons who approved this turkey?

If you're film-crazy like me, then the Web is your promised land. The following four sites will keep you as wired with movie gossip and lore as any Armani-clad studio sleazeball.

The early Web's greatest virtue may be its ability to bombard us with insane amounts of useless but entertaining data. Enter Harry Knowles, the Gen X proprietor of Ain't It Cool News, a unique repository of movie scuttlebutt and opinion. Every day Harry's spy network e-mails in reports on future projects (Will *Titanic* director Jim Cameron's next picture be *Spiderman* or the remake of *Forbidden Planet*?), casting news (Knowles knew that Ewan McGregor would play Obi-Wan Kenobi in the new *Star Wars* trilogy weeks before I read it anywhere else) and sneak reviews of upcoming films (Knowles was running *Titanic* raves while the mainstream media still considered it an *Ishtar* in the making). New stories last week included: "20th Century Fox's *Pinball City*" (people sucked into a miniature pinball universe. Cool); "Robin Williams' *What Dreams May Come!*" (Robin searches hell for his dead wife in one of this fall's likely hits); and "What one 15-year-old kid thinks about the *Psycho* remake." If you want to talk like a Hollywood insider, Ain't It Cool News is a daily must-visit.

Speaking of which: we all know Robert Duvall starred in *The Godfather* and *The Great Santini*. True movie freaks, though, will be even more intrigued by his turn as Motorcycle in the 1965 crime drama *Nightmare in the Sun*. We learn about this role from the Internet Movie Database, an as-



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tonishing site that hyperlinks cast and crew lists for more than 150,000 films, allowing surfers who peruse Duvall's career to detour into the Ursula Andress oeuvre when they reach the cast of *Nightmare in the Sun*.

And if (probably for Ursula Andress-related reasons) you actually want to see *Nightmare*, try reel.com, a video site with 85,000 titles arranged into wittily searchable hierarchies like "Horror/Blood 'n Guts/Sub-humanoid Meltdown." A copy of *Nightmare* costs \$8.99 (\$6.99 for a used tape).

They'll even send you a three-day rental for \$4.50, including a stamped envelope for the return trip.

Still burning with conviction that you too could be a movie mogul? Prove yourself on the Hollywood Stock Exchange, an online market that lets you invest 2 million "Hollywood dollars" in Movie Stocks and Star Bonds and measure your bets as they rise and fall with each week's box-office grosses against a pool of investors that apparently includes a fair number of Hollywood luminaries.

Last Thursday two imminent openings were trading as follows: *Disturbing Behavior*—\$24.25; *Mafia*—\$23.20. That means HSX players expect each film to gross that many millions in the U.S. Most of my HSX stake, however, is on Stanley Kubrick's sex thriller *Eyes Wide Shut*. It stars Tom Cruise, and as every movie nut knows, you never want to bet against him. ■

Krantz is a TIME staff writer; Josh Quittner returns to this page next week. For more cool movie websites, see [time.com](http://time.com).

## Form a More Perfect Union

NOBODY LIKES BEING ACCOSTED BY A clipboard-carrying activist, however noble the cause. But now you can weigh in on an issue in peace. A visit to [www.e-thepeople.com](http://www.e-thepeople.com) (it launches Aug. 1) lets you search by topic for a petition you might want to sign, start your own petition or send a letter to almost any official, from a local parks commissioner to a U.S. Senator. Not sure to whom to vent? Search for the right recipient; if that office doesn't have an e-mail address, your message



THE PEOPLE

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## Cooling Your Hot Spots

FANS AND AIR CONDITIONING WORK just fine on those sweltering weekend days when you can hibernate indoors, but eventually you need to venture outside. The Personal Cooling System from the Sharper Image (\$49) may look like a whiplash collar, but it works. Just wrap it around your neck and let its aluminum plates, cooled by water and a fan, refresh you.



SHARPER IMAGE

## Motorola Thinks Smaller

THE SLEEK STARTAC PHONE HAS LONG been the envy of every mobile exec saddled with a larger, less attractive cell phone. Early next year, Motorola will give folks something new to covet: its V-series phone (approximately \$500 to \$600) will be a tad shorter,

25% narrower and a third lighter than the Startac. The best news: the V-series' talk

time reaches a comfortable 160 min., with up to 160 hr. of standby.

—By M.M. Buechner and Anita Hamilton





Christine Gorman

## Prevent Crib Death

**Sudden-infant-death syndrome is declining, thanks to parent action. Here's what you can do**

SOMETIMES THE SIMPLEST SOLUTIONS ARE THE MOST effective. Six years ago, the American Academy of Pediatrics surprised doctors everywhere by urging

that all healthy infants be placed on their sides or backs when they sleep. The physicians' group was responding to reports from Europe that showed that babies who sleep on their backs are much less likely to succumb to sudden-infant-death syndrome, also known as crib death, than those who sleep on their stomachs.

Now we know just how vital that recommendation was. According to a study in last week's *Journal of the American Medical Association*, only 24% of American infants sleep on their stomachs, down from 70% in 1992. And the SIDS rate, which hadn't budged in more than a decade, has plummeted from about 5,000 deaths a year to fewer than 3,000.

"We've seen the change in every segment of society: blacks, non-Hispanic whites and Hispanics," says Marian Willinger, director of SIDS research at the National Institute of Child Health and Human Development and a co-author of the *JAMA* study. Much of the credit goes to a public-health campaign begun in 1994 under the slogan Back to Sleep. But not everyone has got the message. Those who are still more likely to place their infants on their stomachs include mothers ages 20 to 29, African Americans in the inner city and families who live in Middle Atlantic or Southern states. Note to the civic-minded: Willinger is looking for volunteers who can help get the word out to any of these communities.

Why does lying on the back make such a difference? Researchers suspect the answer has more to do with physics than pathology. As anyone who has ever held one knows, babies are weak. But what you may not realize is just how weak their lungs, in particular, are. If by lying on his stomach, a baby's face becomes mashed against the mattress cover, he can have his breathing passage blocked or can breathe from a small pocket of air until it is deplet-

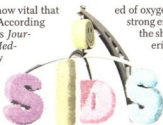
ed of oxygen. Babies' lungs just aren't strong enough to suck in air through the sheets, quilts or mattress covering. Sleeping on his back, of course, leaves his nose and mouth open and ensures freer access to fresh air.

But even if you already place your baby on his back to sleep, there is still more you can do to lower his risk of SIDS. Make sure the mattress is firm, so if your child rolls onto his stomach, his face won't settle into the bed. Remove all fluffy pillows and stuffed animals from the crib. And never let your baby fall asleep on a sheepskin—even on his back. A number of infants have died when the sheepskin or other

soft bedding wound up covering their faces. Apparently, the material can cause just enough of a pocket to form around the baby's face that the air inside it is exhausted of oxygen.

You may want to consider what the Europeans are up to now. They've become convinced that overheating also plays a role in triggering crib death. Some parents in Holland, for example, don't even keep sheets on their baby's bed. Instead, they dress the infant in a one-piece "baby sack," which leaves plenty of room for the child to move around without fear of sweltering or suffocating. That may be going a bit far, but there's no denying that taking a few simple steps so that your baby will breathe more easily in his sleep can prevent a terrible heartache later on. ■

Learn more about SIDS at [time.com/personal](http://time.com/personal), and read about the Back to Sleep campaign at [www.nih.gov/nichd](http://www.nih.gov/nichd).



### Bedtime Rituals

To cut the risk of crib death:

- Place your baby on her back to sleep
- Remove soft toys and bedding from crib
- Don't let your child get overheated

### Good News on Lyme

LYME DISEASE CAN BE treated, but the common tick-borne illness has never quite been preventable. Two new vaccines using genetically engineered bacteria have been proved effective in protecting adults against Lyme disease. Both await FDA approval, and at least one is expected to be available for next summer's Lyme-disease season. Vaccine tests for children are still in the works.



DANIEL FINE/RESEARCHERS

### Bad News on Radiation

FOR PATIENTS WHO SUFFER FROM the most common type of lung cancer, postoperative radiation therapy is often a routine part of treatment. But a study published last week urges re-evaluation of this practice, showing that radiation actually raises the relative risk of death 21% and that its effects are most detrimental for those in the early stages of the illness, pushing survival chances below 50%.

### Good News on Arthritis

A DUTCH STUDY SUGGESTS THAT rheumatoid arthritis and hay fever are seldom suffered by the same person, a finding that may yield new treatments. Both conditions are thought to be



autoimmune disorders mediated by two types of T cells. The type active in hay fever may help suppress the type active in rheumatoid arthritis.

KALIN FALKL/RESEARCHERS

### Bad News on Olive Oil

IN RECENT YEARS, STUDIES HAVE hinted that olive oil could prevent breast cancer. A new study measuring oleic acid—the oil's chief component—in women, rather than relying on their reports of what they ate, shows no protective effect from the acid. But the oil's cardiovascular benefits still make it a healthy choice. —By Dara Horn

Sources: *New England Journal of Medicine*; *The Lancet*; *Annals of the Rheumatic Diseases*; *American Journal of Clinical Nutrition*



NORMAN WINTER/ROD

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STEVE HATHAWAY (LEFT); DOMINICA MATYJKA; REUTERS



## What's Russian for "Soap Opera"?

It's so comforting to know that American sports stars aren't the only ones who go wiggly with fame. Russians **PASHA GRISHUK** and **EVGENY PLATOV**, right, the only ice dancers ever to win back-to-back Olympic gold medals, have always been as odd a match off the ice as they were perfect on it. Pasha is, well, flamboyant. She models herself after Marilyn Monroe, went through the torturous process of changing her name from Oksana to Pasha—Russian for passion—and has made no secret of her Hollywood dreams. Now, apparently, Evgeny has decided her virtuosity on the ice is not enough compensation for her tempestuousness off it. On July 19, at the end of an America-wide tour, he told Pasha that he had decided to skate with a rival, **MAIA USOVA**, left. At least he tried to. Pasha disappeared. He has tried calling since, and she has hung up on him. She claims he hasn't called. Maybe it hurts most because Pasha had a very public affair with Maia's husband and broke up her rival's marriage. "There is sadness because we are great skaters together," says Evgeny. "But there is relief because I will have another life that I deserve. I'm expecting a new, happy life with no stress." Sounds like Pasha may have found her screenplay. —Reported by Alice Park



## Hoop Dreaming With the Bulls?

And now for the latest installment of *As the Basketball Turns*, the continuing saga of that winning but tortured team, the Chicago Bulls. In this episode, the two Jerrys—Krause and Reinsdorf, vice president and chairman of the team—present **TIM FLOYD**, a college coach and fishing buddy of Krause's with no NBA experience, not as the new coach but as the director of basketball operations. This means that Phil Jackson could theoretically come back and perform his Zen magic on the Bulls. If he comes back, so will Michael Jordan, who has vowed never to work for "Pink," as he calls Floyd. If Jordan comes back, Scottie Pippen might too. However, Jackson has made it pretty clear that he won't come back. Maybe the Jerrys just want Jordan to know they really, really tried. Jordan has that nice little vacation known as a lockout to help him think it over. And as always, nobody ever knows what Dennis Rodman is doing. Tune in next week...





## On the Horns of a Dil-Emmy

As usual, the Emmy nominations raised more questions than answers. Such as ...

1. If Julia Louis-Dreyfus is the supporting actress on *Seinfeld*, who's the lead actress?
2. Will Garry Shandling, nominated for the 19th time, finally get an award now that he's off the air?
3. David E. Kelley was nominated as a writer for both comedy and drama series, and he's married to Michelle Pfeiffer. Is there a luckier man in America?
4. Is there a more blatant excuse to reel in movie stars, such as



Emma Thompson and Mel Brooks (and therefore attract an audience), than the category of Outstanding Guest Actor?

6. Excuse us, but Jane Seymour is an Outstanding Lead Actress?
7. Martin Short is nominated against George C. Scott, Hume Cronyn, Gregory Peck and, posthumously, J.T. Walsh. Is Short even going to show up?
8. In nominating newbie ANGELINA JOLIE twice, are the TV folks sucking up to her dad, Jon Voight?
9. Or is it those lips?



## The Many Loves of Jeremy Irons

Lolita has finally landed. This weekend Showtime, trying to carve out a niche for itself as the edgy cable channel, will show the movie that no studio wanted to distribute. One of the best reasons to watch—apart from the alluring glimpses of the retainer that DOMINIQUE SWAIN's Lolita wears—is to see JEREMY IRONS do his favorite "I'm in love with the wrong person" act. He has loved so many of the wrong people in his films, he could be a regular guest on *Jerry Springer*. A glimpse at his past film amours:

Movie	Irons' Role
<i>Stealing Beauty</i>	A dying man who'd like to sleep with the 19-year-old virgin visiting him
<i>M. Butterfly</i>	A French diplomat who has an affair with an opera singer, not knowing he's a spy and a guy
<i>Damage</i>	A politician who has an affair with his son's fiancée
<i>Dead Ringers</i>	Twin gynecologists who share lovers without the women's knowledge
<i>Swann in Love</i>	A French aristocrat obsessed with a scandalous, lower-class woman
<i>Betrayal</i>	A literary agent having an affair with his best friend's wife
<i>The French Lieutenant's Woman</i>	A gentleman having an affair with a tainted woman

## Ah, Paris and the Fall

The Emperor's new clothes were on display in Paris last week. But although none of the attendees of the fall couture shows were prepared to say the outfits were ridiculous—as usual—some were prepared to say the women were nearly naked. Nipples were one of the biggest accessories, and definitely the least expensive. The mad lads from Britain—Alexander McQueen for Givenchy, far left, and John Galliano for Christian Dior, middle left—were up to their usual high jinks, but they were usurped in wackiness by even newer kids with scissors—Viktor Horsting and Rolf Snoeren, middle right. The Dutch duo, whose label is known as Viktor & Rolf, got to thinking about the millennium and showed an apocalyptic-appropriate silhouette shaped like a mushroom cloud. Moreover, they put the show together on a shoestring budget—so '90s! There were a few sublime moments, however, such as the Jean-Louis Scherrer cape, near left, and the appearance in Thierry Mugler's show of **CYD CHARISSE**, all 77 years of her, looking as va-va-voom as anyone.



## Foster Baby

In retrospect, there were signs that **JODIE FOSTER** was feeling a little clucky a long time ago. First there was her company's name, Egg Pictures, then her directorial debut, *Little Man Tate*, about raising a genius. Most recently there was the Showtime film for which she was executive producer, *The Baby Dance*. Now she has her own little man, Charles, who arrived last week, all 7.5 lbs. and 20.5 in. of him. Foster has steadfastly refused to name the father and intends to bring up the child alone, or as alone as movie stars ever are. But she has a good example of single motherhood to



follow: her mother Brandy raised Foster and her three siblings on her own. And Jodie turned out O.K. "Anybody who has a child is fearful of not measuring up," she told the *New York Daily News*. "But I hope I'll have some of [my mother's] passion."

Lance Morrow

## The Moon and the Clones

*With the death of Alan Shepard, the future looks a little retrograde. Bring on the mice*

*Why should a dog, a horse, a rat, have life, and thou no breath at all?*  
—King Lear

**T**HE NEWS OF THE DEATH OF ASTRONAUT ALAN SHEPARD, the first American in space, arrived at the same time last week as a report that scientists in Hawaii have cloned 50 mice.

Yesterday's future passeth away; a brand-new future cometh. It was as if the future had performed a changing of the guard.

With Shepard's death, time seemed less elastic than we thought it was. The old outleaping moment of the race to the moon, science and technology's heroic counterpoint to the '60s' rage and mess, was now, as embodied in the first young all-American leaper, dead of leukemia at the age of 74. You may rescind the laws of gravity but not of mortality.

John Glenn, of course, will head into space again this year on a shuttle at the age of 77—an admirable feat for a geezer but no longer the irreplaceable original. In those days, rockets named for the god Apollo went up from Cape Kennedy like chariots of fire and carried a cargo of such elemental significance and mystery that even Norman Mailer was awed and knocked off his ego for an hour or two. Mailer wrote that Cape Kennedy was "the antechamber of the new creation."

Today the new creation involved in cloning is no doubt visionary (Frankenstein goes partners with Henry Ford in the mass production of life) and also plunges forth into mystery, though of a different sort from that approached by astronauts. Think of the 50 Hawaiian mice and then extrapolate, taking your metaphysics as far as your imagination will carry you. What, exactly, are the implications of unsouled reduplication?

As gods, we are cautious. We send the animals before us. The Soviets launched a dog called Laika on a Sputnik 2 space vehicle in 1957; in 1961 the Americans fired up a chimpanzee named Ham in a Mercury capsule. Presumably Ham, with his evolutionary advantage, had a richer experience in space than the astronaut dog. When America at last committed a human life to the venture, Shepard advanced the space program by an evolutionary quantum leap. He lived to become more famous still by playing golf on the moon during his Apollo 14 expedition in 1971.

The cloners also send the animals before us. First, last year, came the single sheep Dolly. Now the 50 mice. First the individual, then the horde. Charles Lindbergh crossed dangerous

virgin atmosphere to get over the Atlantic to Paris in 1927; that same air is now dense with flying auditoriums of people.

The space agenda remains splendid though underfunded. If the leading edge of popular curiosity trends for the moment away from space and toward cloning, we may sense that in the transition the future has grown a little retrograde, at least from a moral and theological point of view. As the American space program began in the '50s, rockets routinely exploded on the launch pad and collapsed into their own ruins like defunct Las Vegas casinos. The nation's leading rocketmeister was the boy wonder of Peenemünde, Wernher von Braun, inventor of Hitler's Vengeance Rocket, the V-2. (*I Aim at the Stars* was the title of Von Braun's memoir; comedian Mort Sahl's suggested subtitle was "But Sometimes I Hit London.")

But after Shepard's flight and Glenn's earth orbit the following year, and on through the expensive brilliance of the Apollo moon sequence, the space program became for a time numinous. One night in the late fall of 1972, I sat beside Kurt Vonnegut Jr. in a chigger-ridden field at Cape Kennedy and waited for the firing of Apollo 17, the only night launch. All of us (vips, press and, on the roads beyond, the entire Winnebago nation) had assembled essentially and inarticulately to worship. Civilization going back thousands of years (the Greeks, Pythagoras, Galileo, Newton, Einstein and on to the NASA geeks with slide rules) was poised to ride up out of the sandy, swampish Florida ooze. The great rocket, with its conical nubbin of human life up top, glowed in a radiance of light beams—mysterious, still and white.

Action: clouds of billowing fire. The earth quivered. The mighty thing that we had extracted from the earth with our tools and shrewd opposable thumbs rose from the earth and shot up, stately, to the moon. It seems a long time ago.

At the moment of an Apollo launch a few years earlier, Mailer found himself saying aloud, "Oh my God, oh my God, oh my God, oh my God!" He was pointing, like the rocket, toward another dimension.

It's hard to know exactly where the cloning points. Maybe it would not be a bad idea to put a payload of 50 mice aboard the next space shuttle. Perhaps in the farther future, our clones should do the space colonizing for us while we originals stay back at our messy headquarters on earth. Would that parse theologially? ■



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